

The Voluntary Controversy in the Church of Scotland;
1829-1843;
with particular reference
to its
practical and theological roots

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Preface

The Voluntary Controversy became the subject of this paper almost entirely by accident. While searching for a subject in which the methods of church finance might be considered, it was suggested that the Voluntary Controversy might prove to be fruitful ground. Some reading proved that this was so, and the subject was submitted to the Faculty of New College for approval. Further study revealed a much wider field, and there was a resultant shift of interest from one of its segments to the Controversy as a whole. In the place of interest in the subject of church support only, the entire Voluntary Controversy, including as it did the field of Church-State relations, became the object of study. Interest grew in the whole of this absorbing period during which men were striving for what they believed to be right, and were working strenuously for the advancement of their own Church. The subject as a whole has been an interesting one, and one which has been rich in revealing currents of thought still present not only in Britain, but also in the United States. Thus, this paper deals with the entire Controversy, and seeks to search out the basic causes of the conflict.

The title has been taken to embrace under the words, "Church of Scotland", not only the Established Church but also the whole Scottish Protestant Church, including Dissenters. This, in the Controversy, included the Established Church of Scotland, the United Secession, the Relief, and the Independent Churches in the main. The phrase "practical and theological

roots" has been taken to mean the immediate causes which gave rise to the Controversy. Effort has been made, however, to trace the background of these causes which gave rise to conflict. Quotations have been used more extensively than would be necessary in a simple narrative history, to reveal something of the words and thoughts of the men of the Controversy. Some of these quotations are carried as a part of the main text, but more extensive quotations are written single-spaced and indented from the normal text. American spelling has been used throughout, save in the quotations.

In conclusion, thanks are due to the library staffs of New College, Edinburgh, and Trinity College, Glasgow, for their help and consideration; particularly to the Rev. J.B. Primrose and Miss E.R. Leslie of New College Library for their helpfulness and guidance in locating material. Thanks are also gratefully given to the Library of Trinity College for the permission to borrow material which was not elsewhere available.

Chapter I

The Origin and Background of the Voluntary Controversy

Ernst Troeltsch has pointed out that Calvinism effected a compromise between two opposing ideas of the nature of the Church. On the one hand, it accepted what Troeltsch calls the sect-ideal of a 'holy Community' composed of those who are true believers in Jesus Christ. On the other hand, Calvinism accepted what Troeltsch calls the Church-ideal, of a national community, and of national responsibility for religion. The ideal of the holy community was applied to the whole nation and civilization. This fusion of ideals produced within Calvinism a tension between the Church ideal of a national religion, and the sect ideal of a holy community. This tension later shattered the solidarity of Calvinism, and often threw the Church into conflict with the State. This was particularly true where Calvinistic conceptions of Spiritual Independence^{1.} clashed with Erastian ideas of State supremacy.

In Scotland, this inherent tension was magnified by the spirit of the times, and came to a head in the struggle over disestablishment which took place from 1829 to 1843. While it remained a conflict of Church parties, it had its greatest intensity between 1832 and 1839. When it elevated the ideal of Spiritual Independence, it threw the Church into conflict with the State and thus had a direct bearing on the Disruption of 1843, and the formation of the Free Church of Scotland.

1. Troeltsch, E. The Social Teaching of the Christian Churches,"
p 695

The conflict over disestablishment was one of church parties. In favor of establishments, was the Presbyterian Church of Scotland, established in the days of John Knox, and re-established by William and Mary, after the struggle with the Stuarts who had attempted to set up Episcopacy as the Established Church in Scotland. Allied with them, and sympathetic to their cause, were the Original Burgher Synod of the Secession Churches, and the Reformed Church, or the Cameronians. Opposed to them, and denouncing establishments, were the United Associate Synod (the United Secession), the Relief Church, and the Independent Churches.

The controversy, which was to be called the "Voluntary Controversy", was opened by a sermon preached by the Rev. Andrew Marshall on April 9th, 1829, in the Greyfriars Church, Glasgow, before a meeting of "the Glasgow Association for propagating the gospel in connexion with the United Secession Church." This sermon was published, and was reviewed at length in the August, 1829, issue of the "Christian Instructor", which was the organ of the Evangelical party in the Church of Scotland. The editor was the Rev. Andrew Thomson, minister of St. George's Church Edinburgh. The Review called forth a reply from Mr. Marshall, which he published in 1830 in the form of a letter to Dr. Thomson. The next year, 1831, Mr. Marshall published a more elaborate treatise entitled, "Ecclesiastical Establishments further considered," and the controversy was in full swing.

The sentiments which Mr. Marshall proclaimed first in his sermon, and repeated in these other treatises, were not new to the Secession Church. This proclamation, however, struck fire where the others had not. That such a great conflagration resulted, was to a large extent due to the political situation of the country at the time, and the excitement which resulted from it. The author himself refers to that situation in the advertisement of the first three editions of his sermon. He says there:

"If the reason be asked why the following Discourses has been sent to the press, the Author would reply, that it unfolds to a certain extent, as he humbly conceives, the true principles of public tranquillity, political and religious. He is far from thinking that the convulsion which has agitated the empire so violently these some months past, has been finally put to rest by the Catholic Relief Bill. If he knows any thing of Papists or of their religion, the more that is conceded to them, the more they will demand, and never will they be satisfied till they have recovered that supremacy of which they conceive themselves to have been unjustly deprived. ----

"The probability is, they may begin ere long by claiming a civil establishment in Ireland; and upon the principles of those who vindicate establishments, it does not appear how such a claim, were it advanced, could well be refused. The population in Ireland is chiefly Roman Catholic. According to all accounts there are six or seven Catholics for one Protestant, and if the rule be, that in every country the prevailing sect should be endowed by the state, and constituted the dominant religion, what should hinder popery from becoming dominant in Ireland? From the form indeed in which the 'Relief Bill' has passed, there is a probability that the shield of the British Government will be thrown over the Irish Protestant establishment, at least for a time---- yet perhaps it may be for a time only. There has been a yielding to clamour once, and who can tell but there may be a yielding to it again? The more successful it has proved in the first instance, with

the greater confidence will it be resorted to in the next. Ought not Protestants to be thinking of this? Does it not demand their most serious consideration? ----The only effectual security against it is to be found in the principles advocated in the following pages. Adopt these principles, and its ambition is at an end--- its efforts are paralyzed -- its hopes are cut off -- and viewed as a religious system, it must quickly become of all others the least considerable, because of all others, it has the least support from reason or from scripture. That these principles might be before the eye of his countrymen, in the event of such a crisis occurring, as he has supposed, is the main reason that has induced the author to allow this Discourse, with all its imperfections, to come before the public."¹.

Such writing was probing a wound in the feelings of a large part of the population of Scotland. For long years, after the Reformation, and particularly after the reign of Charles II, Roman Catholics had been under civil disabilities. They could not hold office, and were not eligible to election to Parliament. In 1829, under the pressure of events, His Majesty's speech at the opening of Parliament carried the recommendation that both houses review the civil disabilities on Roman Catholic subjects, and remove them if it were consistent with the permanent peace and security of the country. In this action, the Government had the support of Dissenting clergymen, but their people were largely opposed, believing that their liberty and their religion would perish, if the civil disabilities were removed.².

The action of the Government in introducing the Catholic Relief Bill came as a result of the growing conviction on the part of its members that Irish union with the British nation

1.Marshall, A,"Ecclesiastical Establishments Considered."
2.Struthers,"History of the Relief Church", p 455

would not of itself solve the difficulties present there. Growing, too, was the conviction that a way other than coercion must be found. From the beginning of the nineteenth century, several attempts had been made to find a solution to the problem, by granting relief from civil restrictions to British Catholics, particularly those of Ireland. Pitt had moved in this direction in 1801, but had been forced to resign, and had resumed office in 1804 under a pledge not to re-open the question. Canning had followed Lord Liverpool as Prime Minister in 1827, and had promised Catholic Relief. He died, however, before he could carry his promise into effect.

The government of Wellington, with Peel as home secretary, came to the conclusion after the Clare elections, that Catholic Relief should not be delayed. In the Clare elections, O'Connell, who with Sheil had organized the Catholic Association in 1823, opposed Vesey Fitzgerald, a popular Irish landlord, who had supported Catholic Relief. Making use of the Irish tenants, who were called "forty-shilling freeholders", O'Connell, though technically ineligible, because of his Catholicism, to sit in Parliament, won the election. Through the excitement that attended this election, and the rejection of O'Connell as unqualified for a seat in Parliament, came the conviction that the franchise could not safely be left in the hands of the forty-shilling freeholders, and that nothing short of political equality for the Catholics of Ireland^{1.} could avert a civil war. In addition, economic difficulties

1. Broderick & Fotheringham, "Political History of England"
p 226-252

were calling for solution, as famine began to stalk the land. The Bank of Ireland was on the brink of bankruptcy, and public credit was shaken. A civil war to put down the Catholics would have been folly, as many of the army were Catholics. It was in these circumstances that the cabinet decided for immediate action on Catholic Relief, and persuaded the King to allow the bill to be presented.^{1.}

The motion for the bill was put by Peel in the House of Commons. In his speech of March 5, 1829, he gave a comprehensive review of the Irish question, and defended his own position on the grounds of expediency. The measure of Catholic Relief was advocated as a means of pacifying Ireland, securing the Protestant faith, and reducing the power of the Catholics. The bill purported to give complete political and civil rights to Catholics, with a few specified exceptions. As securities against Catholic aggression, the member of parliament was obliged to swear allegiance, to profess himself resolved to maintain the Protestant settlement of the crown, to condemn all papal jurisdiction within the nation, to disclaim any intention of subverting the existing Church establishment, or weakening the existing system of government. Priests were forbidden to hold office. Nor could Catholics hold the high positions of sovereign, regent, lord chancellor, of England or Ireland, or lord-lieutenant of Ireland. They could, however, be ministers of the crown, but could not advise on presentations to ecclesiastical positions, or exercise

1. Struthers, "History of the Relief Church", p 455

patronage in their personal position. Other clauses were included, which related to the titles of their bishops, the wearing of vestments, and the importation of such religious orders as the Jesuits.

This bill was read for the third time before the House of Lords on April 10th, and received royal assent three days later. Following it, there were bills outlawing the Catholic Association (which, however, disbanded officially before the bill was passed) and one dis-enfranchising the forty-shilling free-holders. This last was passed with very little opposition.^{1.}

Is it any wonder that Marshall's sermon, coming as it did during the last reading of the bill, and its publication following the passage of the bill, excited interest? It seemed to a people violently opposed to catholicism, as offering a possible way out, a possible solution to the problem of equality, and of establishments based on the majority of a populace.

Another factor which entered into the interest aroused by "Ecclesiastical Establishments Considered" was the position of Dissenters themselves, particularly those in England. From the time of Charles II, English dissenters had labored under the civil disadvantages of the Test and Corporation Acts. These acts had first been passed with a view to excluding catholics from office, but their wording effectively excluded all save members of the Church of England from positions of

1. Broderick & Fotheringham, p 247,249

civil responsibility. Dissenters had refused exemption from the laws which forbade all, save those who took the Sacrament of the Lord's Supper according to the rites of the Church of England, to hold public office. A yearly bill of indemnity, in favor of the dissenters, was granted, but the law remained in force for upwards of a hundred and sixty years. While the rights of Roman Catholics had been vehemently urged for a period of about thirty years, little had been said about the disabilities under which English Dissenters labored. In 1827, Lord John Russell introduced a motion to abolish these Test and Corporation Acts, and thus to elevate the dissenters to the rank of equality in civil affairs. At first, it was opposed by Peel, Wellington, and Huskisson. Parliament, however, gave a decided vote in favor of removing the limitations, and the ministry yielded to their opinion. In 1829, the bill^{1.} which had passed Parliament received royal assent.

There is no doubt, that the Dissenting church in Scotland, looked on the repeal of the Test and Corporation Acts as a boon due their English brethren, which was long overdue. Their feeling for the Church of Scotland was not enhanced by the position which a part of that church took over the passage of relief measures. At the time of the repeal, there was a small group of young ultra-churchmen, on the Evangelical side of the Church of Scotland, whose spokesman at the time was the Rev. Edward Irving. He published a pamphlet calling on the legislature to keep the Dissenters under the operation of the Acts,

1. Struthers, "History of the Relief Church", p 453,454

and not to exempt them from civil disabilities, under the penalty of the judgement from Heaven. This pamphlet helped many Dissenters to feel, they said, that the spirit of harmony, which they had held with the Evangelical portion of the Church of Scotland was waning, and a spirit of opposition appearing^{1.} in its place.

ii. Influence of current political and economic thought

In the Rev. Mr. Marshall's sermon, there are at least three strands of thought, which were influenced by the opinions of his day. One of these is religious; one is economic; one is political. In each of these different aspects of the question, the prevailing mood of the day, rather than that of the days gone past, is the one which is reflected in the sentiments of Mr. Marshall, and of those who followed his opinions.

In the sermon, there are ten points advanced as reasons why a Religious establishment is not necessary. Half of these, or five, can be said to have their roots in religious objections, or theological belief. Three of them are based on the political idea of equality; one on the idea of free trade in economics; one on the principle of expediency, and pragmatism. In the rest of the chapter, we shall be dealing with these strands of thought, and trying to trace them to their nearest place of origin.

The idea of political equality is present in the fourth, fifth, and eighth points of the sermon. In the fourth section, he says, "A religious establishment seems at variance

1. Struthers, "History of the Relief Church", p 454, 455

with justice. It creates a distinction among the members of the community, which no legislature has a right to create. To whatever extent it shows kindness to some, to the same extent it shows unkindness to others, and consequently offends against the law of equity. If there be a maxim in politics clearer than another, or sounder than another, it is this - that all the subjects of a state, so long as they conduct themselves equally well, are equally entitled to the favour of the government. Nothing will justify a government in making a difference, but one supposition - the supposition of merit in some, and demerit in others. Doubtless it is the duty of a government to be a 'terror to evil-doers, and a praise to them that do well' - doubtless well-doing is to be rewarded, and evil-doing to be punished; but will any man presume to say, that there is either well-doing or evil-doing, politically speaking, in adopting or not adopting a religious creed? Whatever difference such a circumstance may make in the eye of the church, or whatever difference it may make in the eye of God himself, the judge of all, and in both these respects, it unquestionably makes the mightiest difference - yet whatever difference it may make in either of these respects, it certainly makes none, or ought to make none in the eye of the state.^{1.}"

In his reply to the review in the Edinburgh Christian Instructor, he goes even farther in his exposition of the place of the government in religion, and of the injustice done

1. Marshall, A. "Ecclesiastical Establishments Considered,"
p 23

to Dissenters in the Establishment of religion. His conception of the place of government in the rights of religion is set forth as he says, "Properly speaking, religion is none of the concerns of government. We pay a government not to regulate our religion, but to secure us in the enjoyment of it and of our other rights. Whatever we give up to society in return for its protection, we give up not one particle of our mental freedom - our judgement, and above all our conscience, is still our own. We expect that no encroachment shall be made upon these - or if there be, we call it oppression - we call it tyranny - tyranny of the very worst species, and no reasonable person will deny that it deserves the name."¹

In his fifth point, he continues the same line of reasoning, drawn from the same idea. He says, "A religious establishment is to be pronounced impolitic. We have proved it impolitic, if we have proved it unjust, for in the conduct of a state, as in that of an individual, justice and sound policy are inseparably united. The principle of an establishment, as its own friends admit, is a principle of exclusion. It selects its favourites, and passes by the rest...

"This is a modified view of the subject - modified so as to evade a multitude of objections - it removes the question, as one has observed, 'far from the ground of fact' .. yet assuming even this modified view as correct, I hesitate not to affirm that a religious establishment is impolitic. It is impolitic for this simple reason, that it is exclusive. It

1. Marshall, A., "Letter to Dr. Thomson", p 52

rests the great institutions of the country, not on the broad and solid basis of the national consent, where alone they can stand securely, but on a basis where they are perpetually tottering, and liable to be over-turned. The excluded denominations may differ from one another in various respects, they may be more or fewer in point of number, more or less considerable in point of importance.^{1.} (In the rest of his point, he goes on to point out that while the majority of the dissenting groups may be loyal, and as Christians not seek pre-eminence, one may seek to place itself in the place of power, and not scruple to use any means to obtain its ends. He suggests that just that has been happening, or will happen, in the maneuvering of the catholics. He suggests that the way out is that of dis-establishment. "Why should not the great interests of the community, sacred and civil, be placed on another and safer foundation - a foundation where the bickerings of rival religious parties, striving for the pre-eminence, shall not be able to touch them."^{2.}

Again, in his reply to the Reviewer, he enlarges on his theme. Here, he states even more plainly his belief that the political principle of the rule of the majority, and the idea of equity, would result in the establishment of the Roman Catholic Church, should establishments continue. He says, "....Admitting the principle of establishments, there seemed nothing to prevent popery from being established in Ireland. That principle, as its most enlightened advocates avow, and

1. Marshall, "Ecclesiastical Establishments Considered," p25

2. ibid, p 27

as the practices of the British Legislature show, is, that in every country the creed of the majority shall be the established creed....On this principle it is, that the British Legislature proceeds in establishing Presbytery in Scotland, and Episcopacy in England. It cannot be that it believes the one to be true in England, the other in Scotland; it can only be that it believes the one to be more acceptable in the one part of the island, the other in the other. And upon the same principle, I would ask, as I have already asked, what should hinder popery from being established in Ireland? The Irish people, to whatever cause it be owing, are generally papists. The papists have a majority over all the other sects united, of six or seven to one. Why then withhold from the papists what you grant to others, or how indeed can you withhold it without abandoning your principle?....Either, sir, you must consent to endow a popish priesthood in the sister kingdom-....or you must have recourse to dissenting principles, and adopt the simple remedy which I have suggested.^{1.}

In the eighth point of the sermon, it is argued that the provision of endowments for the clergy is an economic imposition on Dissenters, and as such against the law of equity. It is reasoned that the teinds which formed the basis of endowment for the Established church, were national property, and should normally go for the meeting of the normal expenses of the state. Those from whom these teinds were extracted, feel them as taxes, and taxes for the sake of religion. And in feeling that, they are estranged from the church.^{2.}

1. Marshall, "Letter to Dr Thomson", pps 65-67

2. Marshall, "Ecclesiastical Establishments Considered"
p 36,37

The idea of free trade, and competition in religion, as in economics, forms the basis of the argument in the ninth point of the sermon. Of this he says, "A religious establishment is found to be inefficient. If not connected with some subsidiary measures - measures not essential to the institution, but added to it, or engrafted upon it - or if not excited beyond its natural energy by the exertions of rival sects existing in its vicinity, a thing not supposable, according to the strict theory of an establishment - if this be not the case, the spirit of true religion is apt to languish under it, and it quickly degenerates into a system of formalism."^{1.}

In his second publication, he enlarges on the examples he gives in the sermon of the need for competition between sects in Ireland, and in the Highlands of Scotland. In refuting the arguments of the Reviewer that the Highlands simply showed the need of a more extensive Establishment, he writes, "With regard to the Highlands of Scotland your statement is somewhat more plausible, although, to make it resemble truth, it must also be greatly modified. You ought to speak of the labourers for cultivating the waste land as wholly employed by government, for any thing that has been done in the Highlands by dissenters, is so recent in its origin, and on so small a scale, that when the object is to ascertain the effect of the establishment, it is scarcely worthy of being mentioned. So little have Scotch dissenters till of late, understood their

1. Marshall, A. "Ecclesiastical Establishments Considered"
p 37.

own principles, so few have they been, and what is worst of all, so much have they been divided, that their labours in extending the gospel beyond their own immediate neighbourhood, have been but comparatively of slender amount. The Body, I believe that has done fully more than any other class of dissenters to enlighten the dark places of the Highlands, is the Congregational Union, and that is a Body, which no farther back^{1.} than thirty years ago, was only beginning to exist." He then continues in the rest of the section, to picture the way in which the Establishment has operated in the Highlands. Of this, he says:

"...Government, or if you please, some joint-stock company, has a certain extent of waste-land to cultivate, or a certain piece of work to perform, it matters not what - it engages for the purpose a certain number of labourers, such a number as in ordinary circumstances would be deemed sufficient - but after a while it comes to learn that the men have passed their time in idleness, and that the work is done in the most slovenly manner, or not done at all. The agent of the company who engaged the men, comes to me much disconcerted, and mentions what he has just discovered. He has been grossly imposed upon - the company has been defrauded - the men have turned out knaves, and have taken their wages without doing their work. I immediately ask him on what terms he agreed with the men, and what reason he had to think that they either could or would do their work? Were they to be paid only as they worked, or were they sure of their wages whether they worked or no? Was there any inspector appointed over them to quicken their diligence, or to report if he saw them idle? Above all, was a free competition allowed with the labourers in the neighbourhood, or with other labourers far or near? Might others if they offered themselves have been accepted on the same, or on easier terms? - or was the bargain so concluded as to make the affair a monopoly with which strangers might not intermeddle? I put such questions as these to the agent, and from his answers I quickly perceive that there has been no security against disappointment, or rather,

1. Marshall, "Letter to Dr. Thomson", p 118

that there is no room for disappointment in the case, inasmuch, as the result that has turned out, is exactly the result that was to have been looked for. The men have indeed acted unfaithfully, but they have acted as any other set of men in the same circumstances, might be expected to do. The whole transaction has been conducted on the part of the company with the smallest possible degree of wisdom. Neither the usual stimulants to indolence have been provided, nor the usual checks to dishonesty - there has been no competition in the case, no rivalry, no fear of the employment passing into other hands - the wages have been given, not for work performed, but for the mere promise to work, not as a reward for something done, but as a bounty on something to be done - there has been no system of inspection established, unless the mutual oversight of the labourers themselves might be so called, and that has been much about as good as nothing, for where all were equally in the fault, no one was likely to turn informer against the rest. - To sum up the whole matter, the men were at liberty to make a job of their employment if they chose, and a job of it they have made - the money is expended, the hopes of the company are defeated, but the waste that was to have been cultivated is a waste still.

"Who does not see in such a fiction as this, the very features of an establishment? Is it not a description, which, with the alteration of a few trifling terms might suit any establishment in Christendom? Human nature is human nature in a minister of the gospel, as well as in another man. If a man is so situated that he is secure of his living independently of his toil - just as secure of it when he toils little as when he toils much - the chance is ten to one, or more than ten to one that he will toil little. The mind of Dr. Chalmers, indeed, through its peculiar construction, may conceive the churches of an establishment to be so many centres of emanation planted over the land, from each of which there is daily issuing a process of encroachment upon the ignorance and vice of the people, but upon inquiry you will find, that out of the mind of Dr. Chalmers, the thing does not exist. A single minister, here and there, a man of a thousand, may be such as the Dr. supposes, but that minister will be the exception, not the rule, and like other exceptions, he will not weaken the rule, but confirm it. Mr. Hume was as wise a man as Dr. Chalmers - not worse acquainted with the principles of human nature, or with its history - and his argument for establishments, which upon his infidel principles he deemed an excellent device, was, that the living would operate as a bribe to indolence, and would

tend to keep the incumbent quiet. Dr. Adam Smith was a man no less wise than either, and his opinion of the matter was exactly the same as Hume's. 'In every profession' he says, 'the exertion of the greater part of those who exercise it, will be always in proportion to the necessity they are under of making that exertion.' 'It is the interest of every man,' he says again, 'to live as much at his ease as he can, and if his emoluments are to be precisely the same, whether he does or does not perform some very laborious duty, it is certainly to his interest, at least as interest is vulgarly understood, either to neglect it altogether, or if he is subject to some authority which will not suffer him to do this, to perform it in as careless and slovenly a manner as that authority will permit.' These are the principles on which we must proceed, if we would judge a priori of the effectiveness of an establishment, and when we appeal to the test of experience, we find that these principles are not belied." 1.

This quotation, extensive though it is, gives us some of the underlying principles on which Mr. Marshall, and the other Voluntaries who followed him, judged the question of establishments. It was partially on the basis of the idea of free trade, and the arguments of Adam Smith, in his "Wealth of Nations", that the arguments of the inefficiency of the established church were built up. Adam Smith and Hume, as our quotation shows, both contributed directly to the thinking of Mr. Marshall, in his opposition to religious establishments.

iii. Trend in religious thinking towards voluntarism.

Five of the ten points in the controversial sermon could be traced to the religious convictions of the author. They are the first three, the sixth, and the seventh points. In them, we find the crux of the difference between those who came to hold the Voluntary position, and those who contended for an establishment of religion.

1. Marshall, "Letter to Dr. Thomson", p 119-122

The first of these points was very simply that Religious Establishments were not necessary for propagating the gospel, or maintaining it, because there is no reference to any such thing among the institutions of Christ. It is contended that while Christ did give the command, "Go ye into all the world and preach the gospel to every creature," he gave it not to the state but to the church. Thus it follows that any action on the part of the state as such to propagate the gospel, is an action without a commission, without authority. While the magistrate's authority is likewise from God, that does not give him a right to intermingle with the religious concerns of the community.

The second point bases the un-necessariness of establishments on the fact that in the history of the Christian Church, there was no trace of such a thing in the early centuries. In spite of the persecutions of the state, the Roman Empire, the church grew without an establishment, and without the aid of the government. In the face of that, it was foolishness to say that the church could not survive without an establishment.

The third point concerned itself with the statement that a religious establishment is at best a human device. The gospel is a system of truth, which is addressed to us as rational beings, which can do good only by finding its way into our understandings and our hearts. Its object is to bring men to new life in Christ, and that cannot be done by human authority. It is only as God is in the hearts of men, only as they work through him and for him, that Christianity can be established.

Yet this establishment in the hearts of men, is something far different from the religious establishment which is set up by the state. That establishment breaks at the outset the bond of peace, separating one part of Christianity from the rest, and clothing it with exclusive privileges, and offending the rights of conscience. Religious establishments are thus an improper means of extending the gospel of Christ.^{1.}

The next point which has a religious basis, is the sixth. In this, the claim is made that a religious establishment has a tendency to secularize the church of Christ, and to bring it into conformity with the kingdom of this world. "This," he says, "perhaps is a more serious objection than any we have yet mentioned. If it be well founded, the measure we speak of is not only inexpedient from a political point of view- not only dangerous to the peace of society, and in some cases destructive of the comfort of civil life, but it is also pernicious in a high degree to the interests of religion."^{2.} He then proceeds to draw a contrast between the church of the New Testament, and the church as incorporated by the state, claiming that the latter is "Nebuchadnezzar's image", and is composed of all sorts of heterogeneous materials, having the brightness of gold, and the weakness of clay, so that it must eventually be broken in pieces and consumed.

The church is a spiritual society, a kingdom not of this world. It is a society composed of spiritual persons, men who believe the truth as it is in Jesus, and who have been born

1. Marshall, "Ecclesiastical Establishments Considered" pl7-22
2. ibid, p 30

again of water and of the Spirit. They are men who have "come out" and "separated" themselves from the world in obedience to Jesus' call. It is a spiritual society united for spiritual purposes. These are: that the members of it may be helpers of each other's joy; that they may strive together for the faith of the gospel; that they may hold forth the word of life; that they may make all men see what is the fellowship of the gospel; that they may show forth God's praises; that in due time they may come in the unity of the faith and the knowledge of the Son of God, to a perfect man, to the measure of the stature of the fulness of Christ. More than that, it is a society placed under a spiritual government, and regulated by spiritual laws. These laws Jesus alone can appoint or administer. This is true since they affect the conscience and the heart, and must be observed willingly, or they will not be observed at all.

Civil authority cannot either erect or maintain such a society as this. It cannot add one member to it whom Christ has not added. It cannot bestow one benefit on it which Christ has not bestowed. Such an alliance between a spiritual society and the state, as an establishment, can be productive only of injury to the former. It can only tend to debase its character, hurt its spirituality, taint its purity, and to defeat the great object which it contemplates. Even the most pure of establishments is more a scheme for uniting men of all classes and descriptions, religious and irreligious, converted and unconverted, in one outward profession, than for converting

men, perfecting saints, or edifying the church. What kind of a church is it, he asks, that limits itself by the boundaries of the country where it happens to exist? What kind of church is it which teaches pastors to distinguish their flocks by the landmarks of their parishes? What kind of a church is it whose revenue is all derived from the state, and whose ministers are either appointed by the state, or by some species of patronage, which the state, in one way or another, controls? What sort of a church is it which overlooks the order Jesus prescribed, and elevates gradation of rank, or sets up an episcopal aristocracy? Does this, he questions, bear any resemblance to the church of the New Testament, which was collected and governed by fishermen of Galilee and their successors?^{1.}

In the last point which has a theological, or religious basis, he asserts that the religious establishment, in its method of support of the church, sets aside the positive ordinance of Christ, that the members of the church provide for its maintenance with their free-will offerings. The provision for the clergy, in an establishment, is made by the state. In the place of that, the proper provision, the one instituted by Christ, is that the church should be supported by all classes of men, according to their means. An establishment, he contends, is supported by compulsion, instead of free-will offerings. This, he contends elsewhere, is a religious duty,

1. Marshall, "Ecclesiastical Establishments Considered" p32-35

as he writes, "...the object of the Saviour's institution is not merely what you seem to suppose - the raising of the money. The object of the Saviour's institution is the performance of a certain religious duty. The command that he who is taught communicate to him that teacheth, is a command, in the keeping of which, as of all his other commands, there is a great reward. The giver is blessed as truly as the receiver, and blessed to a much greater extent. The pittance whether great or small which is given in obedience to the authority of Christ, is given out of love to his name - out of gratitude for his goodness - out of gratitude also to his ministering servant for his sake - and who does not see that this is a sacred duty in which much of the exercise of true piety consists, and which every Christian must deem it a privilege to observe? This duty, however, a church establishment effectually prevents. The moment an establishment is adopted no room is left for it. The establishment comes in with a compulsory law- a statute of the legislature requiring a certain payment to be made exactly as any other tax is required. Is compliance with that statute a religious duty? Is it an act of obedience to Christ? You cannot pretend to say that it is, for you know full well that it is obedience which a Jew or an infidel residing in the land is as well qualified to render as you are or any other Christian. It is nothing more than a mere civil duty - nothing more than compliance with a certain fiscal regulation - and what I maintain is, that this fiscal regulation subverts a holy ordinance of Christ, and

thrusters it effectually out of the way."^{1.}

Such sentiments as these were quite different from the usual expressed sentiments of the Scottish Dissenting churches. Both the Secession Church, and the Relief Church, after their formation, had claimed allegiance to the standards of the Church of Scotland. Their primary interest was not in having the Church of Scotland dis-established, but rather in reforming her of certain abuses which they believed to be present in her government and administration. The Secession church, of which Mr. Marshall was a member, had in particular insisted on the maintenance of the Confession of Faith, and of the importance of national covenanting in regard to the preservation of religion. The great schism in her ranks had been over the Burgess oaths, and their application to the actual, or the ideal, Church of Scotland. The differences of belief as to the acceptability or unacceptability of the oath had resulted in the formation of the Burgher and Anti-Burgher branches of the Secession church.^{2.}

In the arguments which Mr. Marshall presents, the one relating to his sixth point, is basic to the rest. The text, "My kingdom is not of this world," was the foundation of the argument, and of the reasoning of all of the points in the argument drawn from the religious realm. It is the conception of the kingdom of Christ as a spiritual thing, and not dependent upon the kingdoms of this world, which is the real basis of his thought. From this it follows that Christ's followers are those who stand apart from the world, in a peculiar relation-

1. Marshall, "Letter to Dr. Thomson", p93,94
2. M'Kerrow's-"Secession Church", p 210

ship to their Lord. This is the relationship set forward in the New Testament, and there is nothing to contradict it in the ordinances of our Lord, or to indicate such a thing as a relationship between church and state. There is nothing in the history of the early church to indicate such a relationship, either. In the light of history, and the New Testament, establishments can be charged with being human devices, not God's. This device takes the Kingdom from the realm where it belongs, and tries to include all of a nation within its bounds, whether its members have had an experience with Christ or not. From the spiritual nature of the kingdom, comes the nature of its support-- by those who are its members, and receive its benefits.

This teaching by Mr. Marshall was a movement away from the position of primitive Calvinism towards the position held by the Baptist and Free Churches. Ernst Troeltsch has pointed out that Calvinism in its theory of the nature of the church, embraced elements from both Church and Sect. It agreed with the Free Churches (sect), in their concept of a "holy community" composed of the elect. It agreed with the "Church" concept in that it regarded the entire nation as the sphere of the activity of the church, and the responsibility of the church. Indeed, Calvinism elevated the ideal of the holy community to the ideal for a nation and for civilization.^{1.}

The fusion of these two ideas was accomplished through the idea of a unified society - a Corpus Christianum. In

1. Troeltsch, E., "Social Teachings of the Christian Churches, p 694-5

Calvinism, this unified society is achieved through a joint influence of sacred and secular authority - different, though not divided. It is the union of a Government which discerns its duties both in Reason and the Bible, and does them, and an active, independent Church, which works with the State in common obedience to Divine Law, and also administers its own law of Divine Justice, for the Christianizing of Society. In this distribution of responsibility, the State is conceived to have the purpose (1) of the maintenance of true religion (2) the promotion of peace, order, and prosperity.^{1.} The Church is the holy community, which pervades the whole of the nation with its influence, and strives through education (which it controls) and its ministrations in worship and evangelism, to convert the whole of the nation. It is that attitude of mind toward Christ and Culture which Richard Neibuhr calls the "Conversionist". It believes that just as a man can be won by the Spirit of Christ, so nations can be won.^{2.} This was basically the position of the Church of Scotland, inherited from Calvin through John Knox.

By contrast, the Free Churches and the Baptist Churches (Troeltsch's "sect" group) emphasized the formation of religious communities composed of "converted" people, on a basis of voluntary membership. They insisted on Church discipline, and demanded the authority to excommunicate, in order to preserve a "pure" church. They emphasized the Sermon on the Mount. Their desire for a "holy community" expressed itself

1. Troeltsch, "Social Teaching of the Christian Churches", p615
2. Neibuhr, R. "Christ and Culture" p 217

in detachment from the state, from official positions, war, force, violence, and capital punishment. They identified the Natural Law as the Absolute law of the Primitive State of man. They thought of the world as of the devil, and as the scene of suffering until the Advent of Christ, from which^{1.} the faithful were to prepare themselves by separation from it.

As we have pointed out, Calvinism had adopted a part of this sect idea, and incorporated it into its ideal of the Church. It had rejected, however, the concept of the State as being evil, and accepted rather the idea that the State was a good and holy institution, appointed by God himself. It identified Natural Law with the Decalogue and understood the present law of the State as an evolution of the Law of Nature.^{2.} Political and economic institutions are regarded as Divine institutions for the purpose of preserving social peace and harmony.^{3.} The State and Law are regarded as amenable to the religious purpose of the maintenance of religion, and the social and utilitarian end of the promotion of peace, order and prosperity.^{3.a} Indeed, the State is regarded as having the positive function of the promotion of the welfare of its people through religion.^{4.} It is away from this conception, and toward the Free Church attitude to the State that Mr. Marshall moves in his controversial writing and speaking.

1. Troeltsch, "Social Teaching of the Christian Churches" p696

2. *ibid*, p 613

3. *ibid*, p 614

3a. *ibid*, p 615

4. Neibuhr, "Christ and Culture", p 217

The root of his belief as to the place of the Civil Magistrate in religion, goes back in Scotland to the Rev. Mr. Glas of Tealing, near Dundee, who was deposed by the synod of Angus and Mearns in 1728 for his supposed heresies. Glas was familiar with the teachings of Owen, in England, and was strongly opposed to the covenanting spirit of his own time. He declared that the idea of covenanted uniformity in religion was wrong. Living, as he did, in a time when men believed in the necessity of uniformity in religion, and Scotland was still strongly under the influence of the Covenant vows, he was deemed to have departed from the faith. On his trial before the Synod, Mr. Glas held that there was no warrant in the New Testament for a national church; that the magistrate's power had no place in the church, whether the magistrate was a Christian or not, and that he had no power to punish men as heretics. He further stated that the National League and Covenant was without warrant in the Bible, and that the true Reformation was to be carried on by the word and Spirit of the Lord Jesus.^{1.} His views were afterwards stated in various publications, and particularly in "The Testimony of the King of Martyrs"

The next clear statement of these principles comes from the Rev. Patrick Hutchison, of the Relief Church at St. Ninian's, during the controversy which began in 1770 between the Secession and the Relief churches over terms of communion. The Relief Church was accused of laxness, and of standing upon the

1. Struther's "History of the Relief Church", p 177

ruins of Reformation principles by the Burgher Synod of the Secession, when they republished their testimony in 1779. The principal champion of the Relief cause was the Rev. Mr. Hutchison, who had been reared in the Secession Church, but who had become a minister of the Relief Church. The chief publication is his "Messiah's Kingdom", in which he treats of the nature of the church, and tries to show that the Relief Church, more than the Secession, fulfils those qualifications.^{1.} It is stated that it is evident from a glance at this book that Hutchison has read Glas's "King of Martyrs"^{2.}

Some of the teachings of Hutchison in "Messiah's Kingdom" are chronicled in Struthers' "History of the Relief Church." In this work, he set forth strongly his beliefs as to the proper relationship of Church and State. In the Kingdom of Christ, all power and authority originate from Him. He is King, Lawgiver, and Judge of his church. All men are invited to become subjects of this kingdom, but when they enter it, they acquire no power to alter its constitution. The Church is entirely distinct from the State, and civil magistrates do not have authority to interfere with it, or to attempt to establish it. The two are separated by boundaries which mark them as quite different kingdoms. No magistrate has a right to usurp dominion over men's conscience. It is rather the duty of men to search the scriptures for themselves, and to learn the mind of Christ for their own salvation. The Kingdom of Christ will not be built by worldly policy and

1. Struthers', "History of the Relief Church," p 253-265

2. ibid, p 264

power, but rather by the Spirit of the Lord. The truths of the gospel make their own way by their own internal beauty and power. The Church is entirely a voluntary society. It is composed of men who enter it by their own consent. The Christian faith gives blessings but it punishes none, in the outward man, for not becoming its votaries. By its very nature it is incompatible with an establishment, with the help of the Civil Magistrate, and with the very idea of the^{1.} use of the sword, or civil penalties to bring men into it.

These views were expressed by Hutchison, but were claimed for the Relief Church as a whole. In them, he differed from the Church of Scotland, and the Secession, in believing that the state and the church should be separated completely, and in advancing larger tolerance to others for their views. The old views of the importance of national covenanting for the preservation of religion, he renounces. From this time, these were the principles of the Relief Church, and the Voluntary Controversy involved for them no great change, or awareness of new light. It became simply a matter of aligning themselves with the Secession, when the Secession came to express the same views, and to further them through controversy.

The controversy with Hutchison on the side of the Relief, seems to have had some effect on the beliefs of the Secession. This is seen in two men, one on the side of the Anti-burghers, and the other on the side of the Burghers, beginning to express views that were somewhat in accord with those of Hutchison.

1. Struthers, "History of the Relief Church", p 272-275

2 The first of these was Graham of Newcastle, of the Anti-burgher synod. In 1790, he published "A Candid Vindication of the Secession Church", declaring that the Erastian sense of the covenants was absurd, and stating that "national covenanting, under the New Testament dispensation, is 'an agreement among all, or the greater part of particular churches throughout a nation, to strengthen one another's hands, and encourage one another's hearts in mutual fellowship, walking by the same rule, and minding the same things.' He also maintained that there might be 'diversity of sentiment about those things, which, though they be divine truths and of considerable importance, are, on account of the obscurity attending them, on the minds of men in their investigation, matters of doubtful disputation.' In his treatise, "A Review of the Ecclesiastical Establishments of Europe", which was an enlargement of a previous tract, he pronounced the alliance between church and state unscriptural, opposed to the genius of Christianity, fatal to its interests, and dangerous to civil government.

3 On the Burgher side of the Secession, the Reverend Archibald Hall, of London, published in 1770 his "Essay on Church-fellowship," and in 1771 the pamphlet "Tekel". In these he laid down the principles: "The church being the kingdom of Christ, she must acknowledge no judge, king, or law-giver, but Christ; not being of this world, she must be spiritual in her constitution, and independent of the pleasure and authority of men." "A church built upon tradition, former reformations, acts of civil Establishment, or anything human, is not the

church of Christ."^{1.}

In 1796, the Anti-burgher synod passed an interim act in which they "excepted to everything in the Confession which, taken by itself, seems to allow the punishment of good and peaceable subjects on account of their religious opinions and observances, - that they approve of no other means of bringing men into the church, or retaining them in it, than such as are spiritual, and were used by the apostles and other ministers of the word in the first ages of the Christian church - persuasion, not force; the power of the gospel, not the sword of

the magistrate."^{2.} Exception was taken to this action by Dr. Thomas M'Crie, and others, who objected to the synod's forsaking of the belief in national responsibility for religion. It led further, to the formation by this group, a few years later, of the "Constitutional Associate Presbytery" to carry on the beliefs which they deemed the synod to have discarded.^{3.}

The spirit that was moving the Secession church toward the complete Voluntary position, can be seen in the Basis of Union between the two sections of the Secession which came together in 1820. There, a note was appended to the second article of the Basis, referring to the Westminster Confession of Faith, in which it was stated that while the Synod did not require uniformity on the subject of the magistrate's power, they did adhere to the anti-establishment doctrine which had been previously promulgated by the Associate Presbytery.^{4.} In the maga-

1. Struthers' "History of the Relief Church" P 384,385

2. *ibid*, p 386

3. M'Crie, Thomas, "Life of Thomas M'Crie, D.D." p 64 f.

4. M'Kerrow's "Secession Church" p 765

zine of the United Secession, the "Christian Monitor", we find in July, 1822, a quotation from Milton's works, under the heading, "A Civil Establishment not necessary for preserving Christianity." In March 1823, there was a review of a speech by Dr. Chalmers, in which the reviewer questioned the superiority of the establishment, and set forward the claim that a minister should be supported by those whom he serves. The revised testimony of the United Secession, in 1827, in the chapter concerning the relations of Church and State, declared, after having stated that the church deserved the countenance of the civil power; "that the countenance given to it (the Christian religion) must not be inconsistent with its own spirit and enactments. It must not be introduced nor propagated by force. It disclaims and prohibits all persecution." Also "that the church and the state are entirely distinct, capable of existing without the slightest intrusive interference with the proper province of each, and ought not so to interfere. Erastian supremacy of the state over the church, and anti-christian domination of the church over the state, and all schemes of connexion tending to either, ought to be avoided.¹"

The strongest statement of Voluntary principles before Marshall, however, is in the writing of the Rev. John Ballentyne of Stonehaven. Sometime before 1829, he published "A Comparison of Established and Dissenting Churches." At first, he published under the pseudonym "A Dissenter", and wrote as though he were a layman. After the Rev. Mr. Marshall's sermon,

1. M'Kerrow's "Secession Church", p 765

however, the treatise was re-published under the real name of the author. Quotations from it are used extensively by the Rev. Mr. Marshall in defending his position against the advocates of establishment.

In the main, Ballentyne's argument is based on the difference in mode of support between the Dissenting and the Established churches. He states that Dissenters are chiefly characterized by "their supporting the ministrations of religion at their own voluntary expense", while the Churches of the Establishment are those "which afford the ministrations of religion at the expense of the public."¹ He contends that while the magistrate has some rights in religion, that right is properly that of protection from evil, and allowing religion to manage its own affairs. The civil magistrate should have the direct management of the civil and military force of the community, of its public revenue, and other such matters. Religion, however, belongs to the realms of the conscience, and is so connected with the private views and feelings of individuals as to be generally violated by any attempt on the part of the Civil Magistrate to advance its cause. Thus, he believes that religion is to be treated like other personal concerns, and left largely alone. Treated thus, he believes that religion would flourish, and that ministers would be more attentive to their duties. Through this means, those friendly to religion would increase in numbers, and the status of the lower classes would be improved through their concern.

1. Ballentyne, J. "Comparison of Established and Dissenting Churches" p 2

Further, he contends that the Church and the State would live in harmony, that all disputes over the limits of their respective jurisdiction, and their ideas about their natural independence and alliance through mutual compact would be thrown aside. The Church would stand in the same relation to the State as any other voluntary organization. It would be entitled to the same protection. It would owe the same obedience. It would be distinct from the State in ecclesiastical matters, but dependent on it in political matters. Its ministers would be independent of the State, and not aspire to be either tools or masters of it, This system, he contends, would neither violate conscience, nor inflict injury on anyone. It is not like the Establishment, which exacts contributions from pious and impious alike, and forces the magistrate to oppress some for its sake. Rather, it is supported at the voluntary expense of its adherents. As its ends are piety and morals, so its means address themselves to the heart and to
1.
the understanding.

From this pamphlet, and the previously developed thought of the Secession, it was an easy step to the sermon of Marshall, and the response which greeted it. The theology of the Secession had been prepared for the acceptance of the Voluntary position as to support and the relationship of Church and State.

iv. The influence of America

The tenth point in the Rev. Mr. Marshall's sermon is that the argument against establishments has been taken from the realm of theory, and proved by the practical facts in the United

1. Ballentyne, "Comparison of Established and Dissenting Churches" p 55-58

States. He cites favorably the dis-establishment, or the non-establishment of the church there, and shows that it has not been adverse to the cause of religion. Indeed, he says, God has blessed them, above all other nations, in the outpouring of his spirit in a great revival of religion.^{1.}

There is no doubt that the channels of information were open between Scotland and America. The "Christian Monitor", the magazine of the Secession, each year carried a number of articles about the state of religion in the United States. Mr. Marshall himself says that he was influenced in his thought by a work of Bristed, "Thoughts on the Anglican and Anglo-American Churches," published in 1823, and by the magazine, "Christian Advocate". This latter was a theological and literary magazine which was published monthly in Philadelphia under the editorship of the Rev. Ashbel Green. Of this publication, he says, "The Christian Advocate is the organ of the presbyterian church, and of course introduces us principally to the transactions of that body, yet the spirit which is breathed by that one body, and the mighty undertakings it is carrying on, may be considered as indicative of the character and the exertions of all the other evangelical bodies throughout the Union, the episcopalians, the independents, the Dutch reformed, the German reformed, the baptists, and the methodists. From a work such as that I speak of, issuing periodically from the press at short intervals, it is not easy to give extracts which shall convey to those who have not seen it, a just idea

1. Marshall, "Ecclesiastical Establishments Considered", p39,40

of its contents; but if it be read month after month, especially the portion of it which is devoted to religious intelligence, together with the 'Missionary Reporter' and 'Education Register,' usually published in the Appendix, it cannot but produce an impression of a life, a power, an activity, a zeal, a devotedness, to the cause of the Redeemer's kingdom, a grandeur of thought in devising plans for the advancement of that kingdom, a vigour and determination of purpose in carrying these plans into execution, which it would be vain to look for in any other quarter.^{1.}"

In the same work, he wrote, "While we appeal on this subject to ancient, we appeal also to modern facts - facts existing at the present time, and in some sense under our own eye - not depending for their evidence on the testimony of history, but conveyed to us from day to day, through the thousand channels by which one country receives intelligence of what is passing in another, with which it has constant intercourse. As there was no establishment of Christianity in the first three centuries, when that religion was purest, and made most progress in the world, so there is none at present in the United States of America, where, having recovered something of its original liberty, after a long period of thralldom, it is again displaying an energy of spirit, and pursuing a career of conquest, to which our side of the Atlantic can exhibit no parallel!"^{2.} And further, he says, "In proof of the reality of the American revivals, and of the happy influence they have exerted, and are

1. Marshall, "Ecclesiastical Establishments further Considered," p 267, 268

2. Ibid, p 244, 245

still exerting, on the state of religion in that country, I had referred to various sources of evidence - to writers of credit who had treated the subject, giving an account of the American churches and seminaries of education - to individuals of credit who had visited this country and borne the amplest and most decisive oral testimony - and above all, to the accredited communications of public religious bodies, drawn up and transmitted to Great Britain in answer to inquiries upon the subject proposed to them by religious bodies of similar respectability among ourselves," "... and in which they give it as their unanimous and decided opinion, that the question is settled - thoroughly settled by the experience of that country, that the church of Christ 'flourishes more without any connexion with the state than it could do if it were made a part of the civil polity.'¹"

From these quotations, it is evident that the ministers of the Secession, and Mr. Marshall, in particular, were in active contact with the United States, and were influenced in their arguments against establishments, by the fact that in America there were none. The impact of half a century and more of freedom from establishments was borne in, and carried weight with those who objected on other grounds to Scottish establishment.

All these factors together, no doubt, contributed to the formation of belief on the part of Andrew Marshall, and the ministers of the United Secession, that establishments were

1. Marshall, "Ecclesiastical Establishments further considered", p 249, 250

wrong, and that it was best to try to abolish them. Their thought was in terms of the current economic and political thought. That seemed to be against establishments. The newly acquired freedom of Roman Catholics, made the concept of majority rule a dangerous one in their minds, as they contemplated the possibility of a Roman Catholic establishment in Ireland, under the British flag. Their theology had gradually been changing in emphasis, and they no longer believed in covenanted uniformity as they once did, accepting rather the idea of the spirituality of Christ's kingdom, and objecting to the interference of the state in matters of conscience. Finally, the concrete example of a nation without establishment, where religion was flourishing under the blessing of God, acted as a stimulus, and as a proof of the possibility of their dreams.

It was in this dry tinder that the spark of a single sermon lit, and ignited a conflagration which was to stir the hearts of men for some years to come. Riding on the tide of a popular wave, the Voluntary Controversy had begun.

Chapter II

The Ways and Means of the Voluntary Controversy

Almost all of the ways of waging controversy, open to the first half of the nineteenth century, were seized upon in the Voluntary controversy. It started as a war of publication, with the Rev. Andrew Marshall's sermon being published in tract form and distributed and the reviewer's replies in the 'Christian Instructor' also appearing in pamphlet form. The volume of pamphlets published rose with the heat of the controversy. Soon, organizations were formed on the side of the Voluntaries, and of the Church of Scotland, for the purpose of furthering their interests in the controversy. These organizations arranged lectures, dealing with their own viewpoint, and then published the lectures for yet wider distribution. Public meetings were held in various parts of Scotland. Each side, on occasion, tried to disrupt and capture the meeting of the opposite contender. Debates were held, on various aspects of the question, some of them lasting for hours. Deputations appeared before Parliament; the controversy became an issue of election in some places; and actions of government were, in some measure, influenced by the Controversy. Monthly magazines appeared for both parties, and duly recorded the activities of the controversialists, while endeavouring to persuade men to their own viewpoint. Few, indeed, must have been the citizens of Scotland, particularly in those areas possessing Dissenting Churches, who had not heard, or did not know something of the issues and

arguments of the Voluntary Controversy, of "The Church Question", as it was also called. Certainly, they were bombarded from all sides, and called on to rally to the one cause or the other.

1. Organizations

In 1832, the first of the organizations of controversy was formed in Edinburgh. This meeting was the direct result of the discussion of several ministers of the United Secession Church, at a meeting of their synod in 1831. There, after discussing ways of keeping alive the interest which had been excited by Mr. Marshall's sermon, and of directing into "proper" channels the current of public opinion, it was decided that an association should be formed for this purpose. After this meeting together of those ministers who were friendly to the principles which had been set out in the Rev. Mr. Marshall's pamphlet, a circular was addressed to a number of people who were thought to be similarly interested. It stated:

"Sir - At the last meeting of the United Associate Synod, a number of its ministers had a friendly consultation respecting the best means of promoting the voluntary support of the gospel. All present were of opinion, that an Association, embracing evangelical dissenters from different denominations might do much, by publications and otherwise, to secure this object, and to obtain for voluntary churches a redress of their grievances. To further these views, a committee was appointed, consisting of the Rev. Dr. Brown, Broughton Place; the Rev. John M'Gilchrist, Rose Street, Edinburgh; the Rev.

William Maurie, Lauder; and the Rev. David King, Dalkeith.
Mr. M'Gilchrist to be convener.

"By agreement of this committee, you are invited to breakfast in the Royal Hotel (Gibb's), Prince's Street, Edinburgh, at 10 o'clock on Tuesday the 24th inst., when the dissenting ministers and laymen present shall advise concerning the constitution of the intended society, and its plan of operations.

Edinburgh, January 2nd, 1832

1.
John M'Gilchrist,
convener."

This meeting took place in the Royal Hotel, on the date called. It was there agreed unanimously "That a society should be formed, having for its object the asserting and maintaining the rights of voluntary churches."^{2.} A group was appointed to serve as a committee and to draw up rules which would be submitted to another meeting.

The second meeting was convened, again by circular, on the 13th of September, 1832, and met in the Royal Saloon, Edinburgh. Various denominations were represented by ministers and laymen, and the Rev. Dr. Peddie served as chairman of the meeting. The Rev. Mr. M'Gilchrist, the convener of the committee which had been previously appointed, reported the proceedings of that group, and read the rules which they had prepared. Mr. Andrew C. Dick, seconded by the Reverend Mr. Brown, moved the acceptance of the report, and the formation of a Voluntary Church Association in the following resolution, which was unanimously adopted:

1. M'Kerrow's "Secession Church", p 729
2. ibid, p 730



"That this meeting approve of the report of the committee now read, and that the gentlemen present do now, agreeably thereto, form themselves into a Society, by the name of the Voluntary Church Association, and adopt the fundamental principles and rules recommended in the said report, as the fundamental principles and rules of said Society.^{1.}" These rules were: "That a compulsory support of religious institutions is inconsistent with the nature of religion, the spirit of the gospel, the express appointment of Jesus Christ, and the civil rights of men: That, in every case where the individual disapproves of the system supported, or the principle of support, it is an unwarrantable attack on the right of property, and a direct invasion of the rights of conscience; That it keeps in a state of unnatural separation, those who ought to be united, and in a state of unnatural union, those who ought to be separate: That its tendency, as exhibited in its effects, is to secularize religion, promote hypocrisy, perpetuate error, produce infidelity, destroy the unity and purity of the church, and disturb the peace and order of civil society: That, by its direct and indirect influence, it is among the principal causes of the low state of Christianity in those countries where it is professed, and of the slowness of its progress throughout the world: and that, while thus unreasonable, impolitic, unjust, and mischievous, it has not even the plea of necessity, Christianity having within itself, in the native influence of its doctrines on the minds of those who believe them, everything which is requisite for its efficient support

and indefinite extension."^{1.}

This meeting, before dissolving, instructed their committee to call a public meeting of persons who were friendly to the voluntary support of the gospel, at the earliest possible moment. This meeting was to announce the formation of the society, and to make known the principles on which it was founded, and the objects it had in view. This public meeting was held January 29th, 1833, and commanded a crowded audience.^{2.}

Similar organizations sprang up rapidly in other parts of Scotland. At Glasgow, the meeting of the Voluntary Church Society was assembled on November 12, 1832, in Dr. Beattie's church, Gordon Street. Dr. Dick was elected chairman of that group. On January 29, 1833, concurrent with the public meeting in Edinburgh, a voluntary association was formed in Fife, in the church of Edenshead. On January 14, 1833, a meeting was held in the Rev. Mr. Smart's church in Paisley, and an association was formed along the lines of the one in Edinburgh. Other associations were formed in Strathmiglo;³ Stroud, November 26, 1832; Denny Loanhead, January 2, 1833; Hamilton, May 26, 1833; Perth, June 12, 1833; St. Ninian's and Stirling, May 7, 1833; Cupar, June 10, 1833.^{4.}

On December 17, 1834, the "Scottish Central Board for extending the Voluntary Principle, and vindicating the rights of dissenters," was formed. Many of those who were leaders in the Edinburgh Voluntary Association, became leaders of

1. M'Kerrow's "Secession Church", p 730

2. ibid, pps 729, 730

3. Voluntary Church Magazine, March, 1833

4. ibid, May, June, July, 1833

this board. This group was organized to be the political action arm of the Voluntary Church movement, and served its purpose nobly. On two occasions, the Board sent delegations to London, to visit members of Parliament and to lobby against the claims of the Church of Scotland. The following extracts from the first report of the Board, issued in 1835, give an indication of the activities and interests of this group.

"The first object proposed by the foundation of the Board was to 'extend the principle of Voluntary Churches.' This was contemplated to be done in two ways - by the circulation of Tracts, and the employment of Lecturers. In the department of Tracts, the Board's operations have not been so extended as they could have wished. They have, however, published three; one by the Rev. Mr. Young of Perth, printed originally by the Edinburgh Young Men's Society, entitled "The National Endowment of Christian Churches opposed by the appointment of Jesus Christ!" Of this the Board purchased 2000 copies, and have them for sale at 7s. per 100; another, by the Rev. Dr. Brown, entitled, "The Voluntary Support of Christianity a Divine Ordinance;" of which they printed 8000, at the cost of 4s 6d per 100, and a third, consisting of extracts from Mr. Marshall's works, "on the Scriptural Method of Supporting Christianity;" of which they printed a similar number, at the cost of 2s 3d per 100. These have already had a pretty extensive circulation; and the Board are prepared to publish others, if the demand for them gives them encouragement to persevere.

"In regard to Lecturers, the Board regret, that as yet they have not been able to engage any. To a certain extent

the want has been in some measure supplied by ministers of different denominations, who have kindly delivered Addresses or Lectures in different parts of the country.

"Under this head, may be noticed the recent labours of the Rev. Mr. Massie of Dublin, author of 'Political Christianity in Ireland'. That gentleman came to Edinburgh, and after delivering several lectures there, and in Leith, on the subject of the Irish Church, he has visited Dunfermline, Linlithgow, Falkirk, Stirling, Perth, Dundee, Montrose, Arbroath, Aberdeen, Banff, Elgin, Forres, Nairn, Inverness, and is now delivering lectures in Glasgow, Paisley, and Greenock. The Board have since learned from Mr. Massie, that he intends to prolong his stay in this country, and they have been gratified to find from accounts they have received, that he has been highly acceptable in all the places he has visited, and that his lectures have been useful in developing some of the features of the system, and attracting public attention more strongly to the claims of our Irish Brethren.

"The Board closes the notice of this department of their operations, with pressing upon Dissenters throughout the country, the necessity of contributing to their funds, in order to enable them to proceed in these operations.

"The other branch of duty committed to the Board is, the 'Vindicating the Rights of Dissenters.' Under this head the Report enters at great length upon the accommodation scheme, and defends the 'Statement' which was published by the Board some time ago, from the attacks made upon it by Churchmen. In reference to the statistical accuracy of the Statement, the

Report says, the cavils which have been raised about the accuracy of the tables, are almost too trifling to deserve notice; and it furnishes the most satisfactory evidence of the accuracy of the Statement in this respect, that so little has been brought forward to invalidate them. In some few cases, it has been alleged, the accommodation in Dissenting places of worship has been overstated; but on what authority is this alleged? on hypothetical estimates of the capacity of the churches, or on the authority of those very returns which, it seems, the authors of the Assembly's Circular had before them when they prepared it, but which they withheld, from a conviction that it was quite possible they were not given with sufficient accuracy, and that Dissenters would have ground to complain had they been laid before Government! The only error of which the Board is aware, is that in a foot-note, regarding the unlet sittings in the parish churches of Dunfermline. From an error in subtracting the occupied sittings from the total accommodation in the 'unlet', while, in consequence of the sittings in one of the churches being the property of the heritors, it ought to have been said, 'Unlet or unoccupied.' This trifling mistake, of 80 sittings, in a Statement embracing upwards of a quarter of a million, and which does not affect a single table in the Statement, has been made the subject of loud and angry complaint; thus furnishing the strongest possible evidence of the general accuracy of all the important parts of the Statement.

"In reference to the proceedings of Parliament, the Report proceeds: "The state of the question in Parliament, is

well known to the public, and need not here be detailed. The Board thought it their duty to urge, that the application should be met by a direct negative, but finding that the ministry could not be induced to do so, without an investigation into the facts, by advice of several Members of Parliament most friendly to the interests of Dissenters, while they protested against a grant in any circumstances, they have acquiesced in the appointment of a commission of enquiry, in the hope that an impartial commission will be appointed, and that their report will be eminently useful in throwing light on the whole ecclesiastical state of the country. When the report is given in, it will be equally open to Dissenters to object to any grants of money to the Establishment as it was before the commission was moved for; and the acquiescence in the measure, by no means involves any concession of the principle on which mainly they contend against the injustice of the measure.

"In connection with this subject, the Board have also to allude to the returns ordered by the House of Commons, on the motion of Mr. Wallace. That order met with their hearty approbation; and they feel indebted to Mr. Wallace for his exertions in regard to it. The returns, it is believed, have as yet been very partially made; and should a commission be issued, they will, in the judgment of the Committee, be superseded, and, in all probability, the order for them will be discharged. In case, however, they are still called for, the Board trust, that the utmost care will be taken by Dissenters in every part of the country, that the

returns are accurately and universally made.

"In reference to the Fast, the Board 'recommended to Dissenters to follow on the day appointed, their usual avocations: and it is scarcely necessary to add, that while they do so, they ought sedulously to avoid whatever might justly be held to disturb those members of the Church who may think it proper to obey the appointment of the Assembly, or to interfere with their observance of it.

"The Board have also had under their notice, the bill lately introduced into Parliament by Mr. Stewart of Alderston, 'to establish in Scotland a uniform and efficient system of registration of births, marriages, and deaths:' and a committee was appointed by them to report thereon. Mr. Stewart, however, having, for the present, withdrawn his bill, in consequence of the Government having it in contemplation to take up the subject, the committee did not consider it necessary to prepare any report. It may, however, be mentioned, that while in general the liberal character of the bill, and most of its provisions, met with the approbation of the Board, they had it in view to object to some of the provisions, and particularly to the office of Registrar being conferred on Parochial Schoolmasters; and that on two grounds, 1st, Because the duties of Registrar might, in many cases, interfere with the performance of their proper duties; and, 2nd, Because, so long as the appointment of schoolmasters stands on its present footing, the provision amounts in effect to an exclusion of Dissenters from filling the office of Registrar, - it being necessary, according to existing law, that the schoolmaster should be a member

of the Established Church. The Board will not fail to watch the progress of the measure, and exert themselves to obtain, in regard to it, equal justice to Dissenters as well as Churchmen.¹"

Young Men were also brought into the fray. In Edinburgh, a Young Men's Voluntary Church Association was formed in 1834.² This group began the publication of the Edinburgh Voluntary Churchman, and sponsored various series of lectures. In November, 1838, they issued this statement: You are no doubt well aware that a society, under the designation of the Edinburgh Young Men's Voluntary Church Association, has for several years existed in this city. At the time of its institution, another society, having similar objects in view, was in active operation. It was then conceived that the Voluntary cause in this city would be materially advanced by the exertions and co-operation of a junior society. Shortly after its formation, the other society, which was known by the name of the Edinburgh Voluntary Church Association, unfortunately gave up its active proceedings. It would be out of place here particularly to inquire what were the causes which concurred to produce this effect. It is generally understood, however, that one of the principal was the establishment in Edinburgh of the 'Scottish Central Board for vindicating the rights of dissenters,' the management of the affairs of which was in great measure committed to those gentlemen who were the leaders of the Voluntary Church Association;

1. Edinburgh Voluntary Churchman, November, 1835

2. ibid, August, 1835, p 17

and these affairs were found to be of such magnitude and importance as fully to occupy their time and attention. To this may be added, the relaxation of Churchmen in their efforts to extend information on the principles of ecclesiastical establishments, and the partial occupation of the field by the juvenile society. The members of this society have all along deeply regretted that the senior society, which, from its position in the metropolis, was calculated to have a powerful effect in promoting the interests of the Voluntary cause, should only nominally exist. They regarded their association merely as an auxiliary, and as such, they considered that it was capable of rendering some important service. But they never considered that it alone should occupy the field. Not a few of its members have consequently, for some time past, been convinced of the propriety of a union between the two societies; but as there existed a very general desire that the senior society should resume the ground which it once occupied, any active measures to accomplish this scheme were always delayed. In the meantime, many individuals who had been connected with the senior society, and others advanced in life, finding that the young men's association was the only one that was actively prosecuting the cause, enrolled themselves among its members, so that virtually it was no longer merely a young men's society. It was found, however, that a number of persons of age, influence, and experience, rendered their countenance and assistance highly desirable, refused to join a society, the title of which implied that its members were composed solely of young

men. Such being the case, it was now conceived almost necessary that such an alteration should be made in the designation of the society, as would at once indicate its true character, and permit persons of all ages to become members. A motion was accordingly brought forward at the last quarterly meeting of the members, that the association should in the future be denominated the 'Edinburgh Association for promoting Voluntary Church Principles.'¹

On the side of the Church of Scotland, organizations also sprang into being for its defence. Paramount among these was the Glasgow Society for Promoting the Interests of the Church of Scotland, which was formed January 31, and February 1, 1833 in St. George's Church, Glasgow. Among other purposes, this association was formed "To support her (the Established Church) against all who shall attempt to undermine her existence and primitive Constitution; and, by all due and Constitutional means, to obtain the reformation of such abuses as, in the lapse of time, may have crept into her Administration."² A similar organization was formed in Greenock,³ and presumably in other parts of the Church of Scotland. The part of these organizations, however, will be discussed in a future chapter, dealing with the relationship of the Voluntary Controversy to the 1834 Assembly.

Early in 1834, the Edinburgh Young Men's Church Association was formed to further the interests of the Church of

1. Voluntary Church Magazine, November 1838, p 527
2. Speeches Delivered at the Formation of the Society, etc.
3. Report of Meeting of Friends of the C of S. at Greenock



Scotland, and to counter the thrusts of the Voluntary organizations and proponents. In presenting their first report, they said: "...Your Committee cannot but begin with the language of congratulation to their Subscribers, and of thankfulness to Almighty God. Little more than a year has elapsed since the Association was formed, but during that period it has been steadily augmenting the number of its members, it has been instrumental in awakening and stimulating to vigorous efforts in defence of our National Church, and it has been animated and refreshed by various indications of good-will from many not belonging to the Establishment.....It was formed 'for the purpose of obtaining and diffusing information regarding the true principles of the Church Establishment in Scotland, and the utility and excellence of her ancient Parochial System;' and although the attempt was at first considered somewhat hazardous, it has been conducted in a manner which has not been without considerable influence in accomplishing the object.¹" The report then goes on to give in detail the activities of the group.

The first object to which the group had turned its attention, was the means available for the gathering of the funds necessary for its purpose, and the securing of some means for the rapid and accurate circulation of information. Deciding that the Parochial division of the town afforded an ideal instrument for their purpose, they formed five Parochial Associations. These were formed in the Parishes of St. Andrew's, St. Stephen's, the Trinity College, Canongate, and Buccleuch. Each

1. Report of Edinburgh Young Men's Association; Nov. 1835

of these Parishes was to be sub-divided into districts, and individuals appointed in each district to distribute the information which would be furnished to them by the Committee. In addition to these organizations formed strictly for the purpose of defending the Establishment, the Parishes of St. George's and St. Mary's combined that purpose with parochial and congregational interests in the formation of their associations. Some of these associations held public meetings within their own bounds, at which they defended the position of the Establishment, and the principle of an establishment. It was largely through the work and exertions of these parochial societies, that the treasurer of the Edinburgh Young Men's Association was able to report that he had received in donations and subscriptions the sum of one hundred sixty seven pounds, thirteen shillings, and five-pence. All of this, save eleven shillings and a penny, came through the parochial organizations. This would indicate that the interest of these young men was more than verbal, and that they believed in their cause enough to contribute well towards its objects.

The Committee for the Association decided to enter the field of written conflict, and to publish some of the tracts which were available at that time. At first, they hesitated whether to re-issue as their own, tracts which had already been published, or to commence a series of their own. They decided, at length, to follow the course of issuing their own publications. This, they thought, would give them a wider selection of important and interesting topics, along with a more direct super-

vision of the publications. The first publication was a tract explaining the fundamental principles involved in the support of a Civil Establishment of Religion. Eleven thousand copies of this tract were distributed. It was intended that this tract should be followed by others, amplifying the views that were expressed therein.

This intention, however, was changed when the Committee began to think that more benefit to their cause could be obtained through the medium of a Course of Lectures. These, they thought, would be heard by some who would not bother to read the literature which was being issued on the subject of Establishments. Accordingly, they submitted a prospectus for a Course of Lectures to the clergymen of Edinburgh, and other parts of the country. They approved of the plan, and agreed to co-operate with the Committee by preparing and giving the assigned lectures. The Course was begun with an Introductory lecture by the President of the Young Men's Association. This lecture was delivered in St. Andrew's Church, the 27th of November, 1834. After this, the lectures were transferred to Lady Glenorchy's Chapel, and continued, at short intervals, until April 20th, 1835. These lectures were delivered to crowded audiences, with many people attending the entire course. The Committee claimed that among the audience were many of the working class, and that a deep interest had been evinced by them.

Nor had the idea of the publication of suitable arguments for their cause been abandoned. Soon after the introductory

lecture had been given, a wish was expressed that the whole of the series might be published in succession, immediately after they were delivered. The Committee seized on that idea, and made arrangements for the publication of the Course of Lectures, each to appear just after it had been delivered. This was done, and each of the Lectures passed through two editions, amounting to one thousand five hundred copies. Some went to a third edition, and some even to a fourth. In all, nearly thirty thousand copies of the lectures were sold. The Committee reported with pride that they had published them at as low a price as possible, and had yet managed to avoid all financial risk to the Committee and to the Young Men's Association. Indeed, they had managed to sell the lot to a purchaser who stereotyped the lectures, bound them into a volume, added a prefatory discourse by the Rev. Mr. Buchanan, of Leith, and offered them for sale in the bookshops of the town.

The nature of these addresses can be seen from the titles under which they were given. After the preface by the Rev. Mr. Buchanan, there was an opening lecture delivered by the Rev. William Cunningham, titled, "On the Nature and Lawfulness of Union Between Church and State." The next lecture was by the Rev. John Bruce, minister of the New North Parish, and was called, "The Lawfulness of the Church accepting an Endowment from the State, in answer to alleged Scriptural Objections." The third, by the Rev. James Lewis, St. John's Parish, Leith, was on "The Lawfulness of the State forming a connection with the Church, and the right of the Civil Magistrate to expend the

Public Funds in support of the Church; in answer to alleged objections." The next, by the Rev. Charles J. Brown, was "The Duty of the State to Endow the Church." It was followed by "Advantages which the Church derives from an alliance with the State, in the decent respect and reverence secured to the institutions of religion", by the Rev. Robert S. Candlish. The next two lectures were likewise concerned with the advantages which the Church derives from Union with the State - "...In respect of the extension of her means and resources" by the Rev. John Paul, and "...in the independence secured to her ministers" by the Rev. James M. McCulloch. The eighth, by the Rev. John B. Patterson, dealt with the "Advantages resulting to the State from the Civil Establishment of the True Religion." The next lecture, by Alexander Dunlop, Advocate, discussed the "Union between Church and State as it exists in Scotland." This was followed by three lectures on Parochial economy: The Rev. John G. Lorimer spoke of "The Excellence of the Parochial economy, and its fitness to promote the ends of a scriptural union between the Church and the State." The Rev. Robert Lee dealt with "Causes of Departure from the Parochial Economy, and the evils of that departure, especially in large towns. The series was brought to a conclusion by the Rev. Andrew Gray, who lectured on the "Means of promoting a return to the Parochial Economy of the Church of Scotland, and on the true character and the highest dignity of that Church, as pre-eminently the church of the people, the Church of the Poor."

In the self-congratulations of the Committee, it was claim-

ed that these lectures were delivered in a tone and a manner intelligible to all classes. Their impact was such, that they were the direct cause, they claimed, of the parallel lectures delivered in Edinburgh by the Voluntary advocates. Thus both sides were presented to the public in lectures and tracts within a very short space of time.

The next activity of the Young Men's Association grew out of the Church Accommodation Scheme of the Church of Scotland. As we shall see in a later chapter, this Scheme was the cause of violent opposition on the part of Dissenters. Among other things, the Church Accommodation Committee approached the Government of the day, with a request that an endowment be granted for the new churches which were built under the Scheme. When Sir Robert Peel came into power, it was thought that the Government were giving favorable consideration to the application. The "Scotsman" newspaper attacked the whole idea under the stigma of "Tory Church-Building Scheme", and strongly protested against the idea of new churches for Edinburgh. The Rev. Professor Welsh replied to this article, and the charge which was made in it. As the article had been extracted by Dissenters, and was circulated as a separate pamphlet, the Young Men's Church Association similarly published around four thousand copies of Professor Welsh's statement, and distributed them.

The next project of the Association was the result of the reactions of the Dissenters to the Church Accommodation Scheme. "The Scottish Central Board for vindicating the Rights of Dissenters" published statistics, which they claimed were

5. the true facts regarding Church Accommodation. In order to counter these statements, and the accusation that the statistics of the Church Accommodation Committee were false and full of error, the Committee of the Association decided that a Public Meeting of the citizens of Edinburgh should be called, and the findings of that meeting published. This was suggested to several individuals, who entered into the project. The meeting was finally held in the Assembly Rooms on the 15th of April, The Right Honorable Lord Belhaven was chairman of the meeting, and it was well attended. The Committee claimed that the success of this meeting was the cause of the failure of a similar meeting held by the Voluntaries on the next day. The speeches made at the meeting, and the resolutions adopted, were immediately afterward printed, and put into circulation. Copies were addressed to every Member of Parliament, and were sent to all of the principal towns throughout Scotland. In all, ten thousand copies of this report were printed and distributed.

In a further effort to counter the effect of the statements which were being made by the Dissenters in regard to the condition of the town churches of the city of Edinburgh, the Committee requested Mr. Robert Johnston, Junior, W.S., to prepare a full statement of the position of the Established Churches, and of the facts as they saw them. This was made the more necessary by the statements which were being made in the Town Council in relation to the City Churches, and by the accusations which were being made by the Dissenters of being compelled to support an establishment. Mr. Johnston drew up a very elaborate exposi-

tion of the state of the Established Church in Edinburgh, in which he compared the amount of accommodation furnished by the Town Churches, and by the Dissenters, and the amount of seat-rents and collections drawn from both. In the opinion of the Committee, he showed that the Churches connected with the Establishment were decidedly better attended than those of the Dissenting Churches, even though their seat-rents were very considerably higher. In the pamphlet, the author also pointed out the causes of the evil that existed in the Established Churches, and suggested ways in which they might be removed. The pamphlet was one which contained minute statistics, and it was thought that for that reason, its sale might be somewhat slow. It was claimed, however, that though this might influence its popularity, it did not detract from its value, and the Committee had not hesitated to authorize its printing and circulation. Among other things, it claimed to have discovered that the Established Church of Edinburgh had yielded to the revenue of the town more than ninety thousand pounds. In making this calculation, simple interest on the money collected was taken into account. This, they thought, should silence forever the clamors of those who would claim that the Church was a burden to the town. It was, they said, a refutation of the claims of the Voluntaries, or at least of one Voluntary Lecturer, who had hinted that the Churchmen might have been the cause of the bankruptcy of the City. The Committee further claimed that to the astonishment and disappointment of some, not one of the multifarious calculations and statements which Mr. Johnston had made had been refuted or invalidated.

Of an edition of five hundred copies, some three hundred fifty had been disposed of at the time the Committee made their report.

The last publication which the Committee attempted was in connection with the Fast-day which had been appointed by the General Assembly. Feeling that the reasons for the holding of the Fast were being mis-represented, and the people were not in possession of the facts, the Committee resolved upon drawing up and printing a circular containing the Assembly's Acts and Addresses, with some introductory observations. This they did, and circulated the seventeen thousand copies which they had had printed. There was, indeed, a demand for further copies. It was to this they attributed the general readiness of the members of the Church of Scotland to observe the Fast-day, and the outward decency and respect which was extensively accord-^{1.}ed to it by others.

It was by the activities such as those which we have been recounting that the Voluntary Controversy was spread, and was taken into the life of the ordinary Church member. Far more than many theological controversies, this one touched the life of the Church-members of Scotland, as well as the ministers and elders. These societies were formed because the people were interested in the one side or the other. On the part of the Dissenting Churches, the Voluntary Association and Societies believed that a concerted effort would bring the Establishment down. It was their conviction that common justice dictated that

1. Report of Edinburgh Young Men's Association; Nov, 1835

all churches should be on a parity before the law, and in their support. Establishment members were equally convinced of the virtue of their position, and rallied strongly to defend it.

b. Periodicals

In March, 1833, the Glasgow Voluntary Church Society began the publication of 'The Voluntary Church Magazine'. The magazine continued through 1839, with the editor then announcing that he was discontinuing his services, since, "He conceives that the object he contemplated when he undertook the work, is in a great measure accomplished. He flatters himself that the working classes of the community, for whose benefit his labours in this periodical have been chiefly intended, are, with comparatively few exceptions, thoroughly indoctrinated into the genuine principles of religious liberty. So great a revolution in the minds of men, on a subject of such importance, and effected within so short a period, he believes to be almost, if not altogether, without a parallel in the history of the world...."^{1.}

In the first number, the editor sets the purpose of the magazine in a rather rambling introduction "To our readers". He begins with an allusion to the sending forth of the apostles to their labors, and an exhortation to look to the ultimate, rather than the immediate objects of the controversy. He

1. Voluntary Church Magazine, December, 1839

defends the motives of the Voluntaries in carrying on the controversy against Churchmen, and points to an indication of opposition in the increased activities of the Church. Here, he says, "Already what astonishing progress has been made! - what success has crowned the efforts of some individuals among us, isolated and desultory as these efforts have been! What a short period has yet elapsed since the first sermon on Establishments was published in this part of the island, and behold how great a matter a little fire has kindled! The torch has been cast into a field of stubble - the kingdom in all directions has burst into a blaze. The eastern and western metropolis has each its Association - their example is beginning to be imitated by others of our larger towns - country and parish and congregational associations are starting up day after day. And of whom are these composed? Are they not composed of the very choice of the population - the most enlightened, most active, most resolute, as well as the most pious, generally speaking, in the whole community? Will such men forego a cause which they have so solemnly espoused, - a cause so godlike in itself, and so well deserving of their most zealous and persevering support? He must know little of the coolness and determination of the Scottish character, especially among the middle classes, who entertains any such opinion.

"A mighty effort is beginning to be made on the other side. The church, which slumbered for a time within her bulwarks, is awakening to a sense of danger, - consternation is spreading throughout her ranks, - her men of might, if she have any, are at a loss to find their hands, and the boasters who, for a time,

hurled defiance and insolence from her walls, imagining that these could never be scaled, are raising the cry of alarm, and calling on their partisans to bestir themselves lest all should be lost.

"Meetings are held, and associations formed, 'to promote the interests of the Church;' and if her interests, in the proper sense of the words, really are promoted, to whom will the praise be due? Assuredly to no church-man, or body of churchmen in the land. The praise will be due entirely and exclusively to our Voluntary Societies...."^{1.}

The next article has to do with proposed action in parliament on Irish Church Reform. In his comments on this bill, and its features, he says, "Can any man of impartiality look at the system it discloses and be at a loss to account for one at least of the chief grievances of Ireland? This church probably includes, all sorts of people taken together, about a tithe of the population of Ireland; the rest, Catholics, Presbyterians, Independents &c, can be induced, by no consideration, to join themselves to its communion. ...the absolute pauperism and beggary of a great proportion of the inhabitants are proverbial all over Europe; yet this hated church, in this poor and miserable land, is the richest in the world."^{2.}

From this, he turns to an examination of the speeches made in St. George's Church, Glasgow, at the formation of the "Glasgow Association for Promoting the interests of the Church of Scotland."^{3.} Some Statistics from American Churches, in sup-

1. Voluntary Church Magazine, March 1833, p 5

2. ibid, p 9

3. ibid, p 13

port of the voluntary principle follow. Then comes an article on the churches of London, pointing out that the voluntary principle maintained more churches in that city than did the Establishment, and that they were as well, or better attended. Next, the death of Dr. Dick, voluntary leader in Glasgow, is noted. The issue concludes with a notice of a sermon by Dr. Wardlaw, and announcements of the various activities and resolutions of recently formed voluntary societies. This issue may be taken as typical of those of succeeding months.

In August, 1835, the Edinburgh Young Men's Voluntary Church Association, began the monthly publication of "The Edinburgh Voluntary Churchman." Of their object, they said "(it)... is rather to bring those principles, which have already been established, to bear upon existing circumstances - upon those events which are from time to time taking place in the country, and thus to demonstrate the injustice, impolicy, and unscriptural nature of Civil Establishments of religion. In pursuance of this design, they shall each month, 1st, Select some of the Important Occurrences connected with Ecclesiastic Affairs for the subject of Discussion.- 2nd, Give an Account of the Operations of Dissenters in England, Scotland and Ireland: and 3d, Notice such proceedings in Parliament as may be deemed of importance to the Voluntary Cause."¹

"The Church of Scotland Magazine" was begun in Glasgow, in March, 1834. It continued through December, 1838. In that valedictory issue, the editors made claims for their magazine and party which were very similar to those made for the Volun-

1. Edinburgh Voluntary Churchman, August, 1835

tary Church Magazine, when it ceased publication a year later. They said, "The world is now acquainted with our views and principles, and will form its judgement accordingly. But we can, without fear of contradiction, and in all good conscience affirm, that we have made it our constant aim to advocate those great principles of ecclesiastical government, and of social and national religion, which are unfolded in the doctrines, precepts, and examples of the word of God, and as they are exhibited to us in the very admirable and inestimably precious standards of our Church. As we have a firm and unhesitating belief in their truths and value, so have we proclaimed and defended them with plainness, decision, and zeal....

"All our readers are aware in what these things issued,- that dissent, now better known by the phrase Voluntaryism, favoured by the progress of events, the prevalence of irreligion, of extravagant and disorganizing views of government, and by the existence of vast masses of a neglected and therefore discontented and immoral population broke out in open and bitter hostility to all established institutions, and forgot altogether the injunction, 'meddle not with them that are given to change;' but on the contrary, avowedly leagued themselves with all that neither feared God nor honoured their King, that hated the faith of Protestants, and spurned the religion of Christ, provided only they would consent to put down the Church of Scotland.....

These circumstances at last awakened the friends, lay and clerical of the Church of our Fathers. Among their other goods, a few of them proposed this Magazine as a necessary and impor-

tant engine of self-defence. We flatter ourselves that their views were not disappointed; and we have received publicly and privately, from all quarters of the empire, the most gratifying assurances of the important services it has rendered to the cause, not only of Establishments, but of the great ends for which they ought to be erected and maintained; our great aims were to diffuse sound principles and correct information, to record established facts, and to expose the pernicious views, flimsy sophisms, and endless misrepresentations of those who sought their ruin. How successfully we have done so, the volumes which remain will testify - and we flatter ourselves, that on the points in question, a greater variety of sound and correct information cannot be found in the same space in the English language.^{1.}"

In 1836, and 1837, beginning in April of the former year, the Moderate party of the Church of Scotland published the "Church Review" as the organ of their opinion. The copy in New College Library, Edinburgh, has these words written on the frontspace of the first volume, "The Church Review (An attempt to serve the purpose of an organ of the Moderate Party -) Which breathed its last in its 2nd year. For a reason which does not require mention it was known by the names of 'The Cook's Oracle', 'The Cookery book', 'The Cookey-shine!'" Of themselves, they said, "...there is a peculiar call for such a work, properly conducted, at the present moment, when questions of the deepest interest, affecting long established opinions and institutions, are eagerly and often fiercely agitated; and when, in the struggle

1. Church of Scotland Magazine, Dec., 1838, p 427-429

for victory, there is frequently displayed much more anxiety to gain converts, than to state with fearlessness, and with perspicuity, the grounds upon which alone conversion should be desired...."^{1.}

"There has, however, of late arisen a numerous class of men by whom all this has been denied, and who have gone forth against our Zion as if it was the cause of God to overthrow her bulwarks, labouring to accomplish their object by reasoning against all Establishments as corrupting the purity, and destroying the sanctifying operation of the Gospel. Deeply convinced of the danger and the sophistry of such opinions, and believing that they may be effectually exposed, the conductors of the 'Church Review' will embrace every proper opportunity of assailing them, or detecting their fallacy, under whatsoever form it may appear, and of laying down those general principles by which an Established Church may be defended, and it may be shewn that it is the sacred duty of every wise and paternal government to uphold it."^{2.}

It was in the pages of these magazines that the movements and activities of the controversialists are recorded. Each side painted its own cause in the best possible light, and spared no words of disparagement of their opponents. Every small or large victory was hailed with glee, and the movements and statements of opponents were examined minutely, with prejudiced eye, for any flaw or weakness which could be made capital of.

1. Church Review, April, 1836, p 1

2. ibid, p 2

c. Lectures

The sponsoring of lectures, as we have already seen in the report of the Edinburgh Young Men's Church Association, was one of the ways in which the Voluntary Controversy was actively carried on. The lectures to which we have referred began on November 24, 1834, and continued in Lady Glenorchy's Chapel until April 30, 1835. These lectures dealt with the efficacy of the Establishment, and the arguments in favor of its continuance.

Other lectures were also given on both sides of the controversy. The first Voluntary course was in Glasgow in 1834. Here, the lecturers were the Reverends William Anderson, Ralph Wardlaw, Hugh Heugh, David King, J.C. Ewing, Mr. Beath, and James Harvey. From February 18, till May 1, 1835, lectures were given each fortnight in Edinburgh, under the sponsorship of the Voluntary Church Association. In 1836-37, the Edinburgh Young Men's Voluntary Church Association sponsored yet another set of lectures on the Voluntary principle, emphasizing the civil aspects of establishments. Lectures in Glasgow for the Church of Scotland were given from April to June, 1835.

The Voluntary lectures given in Edinburgh in 1835 may be taken as typical of this type of lecture course. In this series, the Rev. John M'Gilchrist gave lectures one and two. His first lecture was on the spiritual nature of Christ's kingdom. There he contends for the headship of Christ in the Church. He claims that the establishment of religion involves an invasion of the religious by the civil realm, and is at variance with true religion. He asks for complete separation

of church and state, equal protection for all denominations and sects, and special privilege for none. He urges the necessity of voluntary support of churches, rather than support through endowment. He emphasizes largely the statement of Christ before Pilate, "My kingdom is not of this world," and contends that Christ's kingdom is spiritual in its laws, sanctions, origin and introduction, discipline, subjects, privileges, object and design, and means of support and advancement.^{1.}

In his second lecture, Mr. M'Gilchrist sets forth spontaneous liberality as the financial law of the church. This liberality, he said, springs from gratitude to Christ. The principle has simplicity, is founded on equity. He claims for the pastoral relationship founded on this principle the fostering of gracious feeling between pastor and people; that it is efficient, and preserves the christian character of the privilege of contributing. He holds that this method of support makes for a mutual dependence of teacher and taught which serves as a check on immorality, intolerance, and political intrigue.^{2.}

In the third lecture, the Rev. William Nesbet examines the arguments from scripture alleged in favor of civil establishments of religion. He concludes that there is no warrant for establishments in the New Testament, and that such arguments can only come from the Old Testament. His contention is, however, that even here the leaders of the establishment have abandoned scripture, and argue from the principle of expediency.^{3.}

1. M'Gilchrist, "The Spiritual Nature of Christ's Kingdom"
2. M'Gilchrist, "The Financial Law of the Church"
3. Nesbet, "On the Power of Civil Magistrates, etc."

The Rev. James Robertson, in the fourth lecture of the series, spoke on the power of the civil magistrate in matters of religion. He contended that civil government derives its rights from the associations of men together to preserve their rights. Magistrates are appointed to this end. The power of the magistrate is just the power of the community. Here, he contends that legislation should protect worship, but not compel it, and that no man has the right to interfere with the religion of his neighbors, and no government with the worship of their people.^{1.}

The Rev. William Lindsay Alexander titled his lecture of the series (number five), "National and Voluntary Churches brought to the test of Scripture." He asserts that the New Testament churches were voluntary, with no hints of establishment. He adduces passages which announce in general terms the nature of Christ's kingdom; those which relate to the subjects of the kingdom; the government of Christ's kingdom; and the support of that kingdom. At the close of his lecture, he mentions in laudatory fashion the system of support of the American churches.^{2.}

Lecture number six, by Rev. William Peddie, concerned the comparative effect of the system of establishment and of voluntary support on the internal state of the church. He contends that the voluntary system makes for greater diligence in the ministry, and greater purity in doctrine. His final charges are that the establishment tends to secularize the church,

1. Robertson, "On the Power of the Civil Magistrate"

2. Alexander, "National and Voluntary Churches brought to the test of Scripture"

while participation in its affairs interests people in the
1.
maintenance of their church.

The next lecture, number seven, by the Rev. William Anderson, concerned the sufficiency of the Voluntary Principle for the dissemination of the gospel. In this, the author contends that in its early days, the Church of Scotland was a voluntary church. He says that the voluntary principle has a diffusive force of opinion, an incitement to benevolence, an incitement of love, of piety, of gratitude to the Redeemer, of the divine command. He confirms his deductions from history, contending that Christianity's greatest ages were in the first centuries of its establishment, that the continuance of the voluntary principle with the Waldensians and like groups, the progress of dissent in Great Britain, the situation in America, and the exertions of the missionary societies are
2.
all strong support of Voluntaryism.

The final lecture, number eight of that course, was by the Rev. Henry Wilkes, and concerned the probable effects of the dissolution of the relation between church and state. He contended that the results of the dissolution would be an increase in the principle of benevolence in pious members of the established churches; that the means of grace would be more extensively enjoyed as missionary operations would be increased; that there would be a higher standard of personal piety; and that there would be a greater union among Christians. He appends figures of a comparative study of the churches of Glasgow,
3.
and of the United States, in support of his arguments.

1. Peddie, Wm. "A Comparison of the Systems...as to effects.."
2. Anderson, Wm "Sufficiency of the Voluntary Principle"
3. Wilkes, Henry, "Probable Effect of Dissolution"

Other lectures than these were, of course, held by both parties. Those of the Church of Scotland stressed an opposite viewpoint from that which the Voluntaries set forth in these lectures which we have taken as typical. They pointed to the state's responsibility to God, and to the obligation of the state to aid in the furtherance of religion, as their principle argument for establishments. They strongly contended for the principle of endowments, and for the establishment of the parochial system. The following chapters, however, will bring out more clearly these contrasting positions.

d. Public Meetings and Debates

Among the most interesting, and usually among the most amusing, of the ways of controversy, was that of the public meeting, and the debates of which it was the occasion, or which were occasioned by it. In the one instance, the public was invited to hear a champion of a particular view, and was afforded the opportunity of asking questions. Sometimes, two opposing champions met head-on in debate. On other occasions, the public meeting was called for one announced purpose, only to be infiltrated and captured for their own purposes, by the members of the opposing side of the controversy.

Two examples of these meetings, can be seen in the activities of Dr. Ritchie, of Edinburgh, a Voluntary champion. In the first, he encountered the Rev. John Lockhart of Newcastle, who was reputed to be the calumnious 'Anglo-Scotus' and the encounter was celebrated as a victory by the Voluntary adherents. In the second, he was apparently worsted, and the meeting was

hailed in a pamphlet published by the followers of the establishment. The report of the first incident was carried in the Edinburgh Voluntary Churchman. Its account is as follows:

"On the 30th and 31st ult. a public discussion was held in the Music Hall, Newcastle, betwixt the Rev. John Ritchie, D.D. of this town, and the Rev. John Lockhart of Newcastle, upon the subject of Church Establishments.

The first day was chiefly occupied by Dr Ritchie's replies to certain charges which Mr. Lockhart has published against him, and by Mr. Lockhart's explanation. In the course of some private and preliminary arrangements, it was proposed by the Doctor and some of his friends, that the consideration of these charges should take place before a select party, chosen in equal numbers from the friends of each, a hundred, or fifty, or forty, or thirty, or twenty-five to be on the Doctor's side, and the same numbers on Mr. Lockhart's side, These having been proposed in succession, to none of them would Mr. Lockhart consent. He was then requested to mention his own number. He said he could mention no number. The plan of private adjustment was then abandoned. The charges advanced by Mr. Lockhart, when stated to the public meeting, were shown to be gross and unfounded calumnies, and the Doctor's refutation of them was most successful in the estimation of a numerous assembly, who, with the exception of a very insignificant minority, evinced their approbation of the Doctor in support of a motion to that effect submitted to them at the close of the meeting.

On the second day, the discussion turned upon the great question of Church Establishments. Mr. L. attempted to show, that it is the duty of the civil magistrate to establish religion for the public good, and to endow it with the funds of the State; but his statements were so much mystified, that, although he may possibly have understood them himself, very few, if any, of those who heard him, it is generally supposed, could perceive their force and bearing on the point which he laboured hard to prove. His doctrine of passive obedience and non-resistance, and of something like the vicarious responsibility of civil rulers, when establishing a false religion, called forth, on the part of the meeting, frequent bursts of feeling, - a mingled feeling of surprise and indignant scorn. His speeches, seemingly derived chiefly from papers which he had before him, evinced no tact, and little talent for debate. They contained almost nothing of reply to the Doctor's arguments, even as to various points upon which he was distinctly appealed to at the time. There was sometimes

apparent, an affectation of ease. It was not however, the ease, but the Affectation of it which was distinctly marked. His effort was a painful one, and very pitiful. He evidently laboured under great embarrassment. Whatever the friends of Establishments may think of their own cause, they had certainly no reason to congratulate themselves upon their self-elected champion, as some of themselves who heard him, very frankly confess. Many, even of the friends of Voluntary Churches, while regarding his position as false and untenable, thought that, by a little more self-possession and good management, he might have made a much more ingenious and plausible defence of it, than he actually did.

To all this, the Doctor exhibited a very striking contrast. Fully master of his subject, he was quite at home in its varied departments. He (Dr. Ritchie) in his reply, stripped the question of those subtleties and false associations with which his opponent attempted to encumber it. He argued the principle of Establishments, trying that principle by the test of Scripture, reason, and general utility, and illustrating it by reference to the history of Establishments in their practical workings, from the commencement of Christianity to the present times, contending that such a system was unscriptural, unjust, and injurious. A great portion of his speeches consisted of reply, and his replies were most felicitous, prompt, appropriate, intelligible, and convincing. He was earnest, but unembarrassed. He was at ease, yet his was evidently not the ease of indifference, but the calmness arising from a conviction of the goodness of his cause, and conscious superiority in the vantage-ground in which he stood as to his means of defending it. He was, in short, in relation to his opponent, as some who witnessed them have said, - like a man with a child in his hands, which, after struggling for a little, in one of its peevish fits he lays down in its cradle, there to cry itself to sleep. At the close of the second day's discussion, a motion was made and seconded, that Dr. Ritchie had triumphantly vindicated the cause of Voluntary Churches, and proved clearly Establishments to be unscriptural, unjust, and injurious. This, on being proposed to the meeting, was received by acclamation, and with long-continued applause. A very few hands were held up against it except among those who attended as Mr. Lockhart's partisans, whose feeble plaudits, intended to raise the drooping spirits of their discomfited chieftain, were speedily put down by the acclamations of an overwhelming majority, by whom Dr. Ritchie, in the masterly course of his argument, and at its conclusion, was loudly and warmly cheered.

Mr. Lockhart was defeated in every point. In the preliminary arrangements he wished to have introduction to the hall to be by tickets at 1 s. each. Was this

like a person professing himself a minister of "the Church of the Poor"? He at length consented to reduce the price of the tickets from 1 s to 3 d. He insisted on eleven o'clock forenoon as the time of commencement for the discussion, and to continue to five. Was this to suit the convenience of those classes whose interests a minister of the "Church of the Poor" might be expected to regard? On being urged to take the evening, as the time in a commercial town most generally convenient for a public meeting, he replied, "We must work while it is day; they that are drunk, are drunk in the night!" At length he agreed to meet at two P.M.; but this he soon retracted, and declared that he would consent to no hour of commencement but eleven A.M. Rather than allow him to escape, Dr Ritchie and his friends acceded to this. Mr. Lockhart then, without concurrence of Dr Ritchie, published his intention to have admittance to the hall to be gratis, and not by tickets as formerly proposed. Under these circumstances, and though the time was not generally convenient, from eleven to two, the discussion went forward. The Hall was crowded to excess; and such was the intensity of feeling, that many persons engaged in business, and of the labouring classes, attended during the whole time.

Mr. Lockhart, seemingly afraid to abide the test of popular feeling, at the conclusion hurried away with one or two of his friends, before the sense of the meeting was taken as to the proceedings. When the meeting was dissolved, but while the hall was still crowded, another chairman was appointed. The preliminary arrangements were then fully detailed. It was also stated, connected with those arrangements, that Mr. Lockhart and Mr. R. Watson, attorney, had waited on Mr. Thomas Gray, Tobacconist in Dean Street, to enter prosecution against Mr Gray, for an alleged libel against Mr Lockhart. Mr Gray wished, in this case, to have a jury of his countrymen by whom the question might be tried; but this was refused.

Mr. Lockhart and his legal adviser, for reasons which the public will duly appreciate, declared their determination to carry it to the Ecclesiastical Court, no doubt expecting that the inquisitorial powers of that court would be more conducive to the objects at which they aimed. On this matter being stated at the public meeting, it excited a burst of loud and indignant feeling; after which a resolution was passed, that if this threatened prosecution goes on, the public will support Mr. Gray in his defence. A forest of hands appeared in support of that resolution, and the meeting quietly separated."¹.

1. Edinburgh Voluntary Churchman, Sept., 1835, p46 f

The next account is taken from the pages of a pamphlet published by the opponents of Dr. Ritchie and Voluntaryism, after his encounter with Mr. Charles Leckie, of Barrhead. Selections from this account follow.

"On Wednesday evening, the 2nd March, 1836, Dr. Ritchie, of Potterrow, Edinburgh, the celebrated Voluntary Lecturer, agreeable to previous intimation, appeared in Barrhead Secession Church, to deliver a Lecture upon the Church question. After giving a harangue which he has delivered nearly a "thousand and one times", with a stroke or two to suit the place, such as that A.F. Neillston signed to a certain Article in the Church of Scotland Magazine, "signified Auld Fule of Neillston;" he stated, that if any individual wished to call in question his statements, or had any question to ask, either for information or through curiosity, an opportunity was now given; upon which the Rev. Dr. sat down in the pulpit. After waiting a little, he was just about to resume with every appearance of satisfaction to himself and the Voluntaries, when Mr. Leckie made his appearance in the side gallery, amidst the "downs" of the Voluntaries, and the cheers of the Church party. Order being restored, and cries for a chairman, the Rev. Mr. Tait was chosen to preside. The chair being taken, Mr. L. said it would be as well to make arrangements how the Discussion should proceed. Dr. Ritchie said, "I give you your own terms". Mr. L. then stated, that the only thing he desired to be settled, was the time each speaker should occupy, Dr. R. was a learned man, and of course, would be able to occupy the time of the Meeting by long declamatory speeches, of half an hour's length, to his (Mr. L.) disadvantage, if the time was not circumscribed; the lateness of the evening, too, was another consideration to which they ought to attend, and which was a reason for breaking up the Meeting upon a former occasion. He proposed, therefore, five minutes at a time, which was agreed to. Mr. L. was then called upon to proceed."

As the discussion proceeded, it became apparent that Mr. Leckie had come prepared for a debate. It also became apparent that Dr. Ritchie did not desire to have a debate that evening. A good deal of time was consumed in the manoeuvres of the two men, with Mr. Leckie seeking to force debate, and Dr. Ritchie

to avoid it that evening. The account finally concludes thus;

"After the cheering had subsided, Mr. Duncan Stewart (an independent, and a member of the committee of the Voluntary Society of this place,) rose and commenced to speak, but was prevented from proceeding by the Rev. Chairman and the Meeting. When this individual sat down, a vote of thanks to the Rev. Chairman for his impartial and praise-worthy conduct in the chair, was unanimously carried.

Upon which, the Rev. Gentleman returned thanks, and stated his satisfaction with the manner in which the discussion had been carried on, and that he was sure both parties would acknowledge that much truth had been elicited. He then pronounced a short blessing, and the Meeting separated.

It is proper to state, that very few of the Voluntaries remained till the meeting broke up. As soon as they perceived that the Rev. Dr. was losing ground, they were to be seen scampering out, evidently highly chagrined. So that any resolutions which Churchmen might have desired to pass against Voluntaryism on the occasion, would have only wounded the feelings of the Rev. Chairman, and the already heart-wounded Doctor.

P.S. For some days after the Meeting, the crest-fallen and dejected countenance of the Voluntaries of Barrhead, gave such a self-evident and lamentable report of the proceedings which took place at the discussion, that the intention of sending these pages to the press was given up. And it has only been at the earnest request of several respectable individuals, in Glasgow, and various other parts of the country, that they are now before the public!"¹.

e. Pamphlets

As we have indicated previously, in the various discussions of the means of controversy, pamphlets played an exceedingly important part. The organizations of controversy were diligent in having their lectures not only delivered to the public but also published and placed in the hands of those who could not hear the actual words of the speakers. Sermons, debates, newspaper articles, shorthand accounts of the public meetings, lectures, all found their way into pamphlet form. Some controversialists used the pamphlet exclusively as their method of warfare. Some wrote under anonymous names, and others wrote under their own.

1. Report of the Discussion on Voluntaryism, at Barrhead etc.

Among the most widely discussed of the pamphleteers was one who appeared on the side of the Church of Scotland, and who published his tracts from Newcastle-on-Tyne, under the name of 'Anglo-Scotus'. In the first of his pamphlets, he professed to put forward proofs that the Reverend Leaders of the Voluntary Churches were a "degenerate body of professing Christian ministers." To make his point, he accuses them of gambling, of having disgraceful pecuniary encumbrances on their churches (Dr. Wardlaw, 9000 pounds and Dr. Heugh 4000 pounds, for example). He accuses them of letting their poor go to the parish churches for help, and of using compulsion in the matter of their own minister's stipends, and the collection of seat-rents. He accuses the churches of underpaying the dissenting ministers on occasion, and states that the voluntary principle is thus shown to be inadequate. He accuses them of deserting the original Secession principles, and turning from orthodoxy to heterodoxy. He accuses them of perjury, laxness with regard to religious principles and opinions, ambitious aspiring, political conduct and unministerial associations, desecration of places of public worship, neglect of discipline, profaneness in the interpretation of scripture, hypocrisy in their petitions to Parliament against additional endowments to the Church of Scotland.¹

Needless to say, such a pamphlet did not go unanswered. Several answers were written by the men who were accused. The Rev. Andrew Marshall replied in his "Calumny Refuted". Dr.

1. Anglo-Scotus, "A New Exposure of the Reverend Leaders, etc"

Wardlaw, moved to a high pitch of anger, replied in "Exposure Exposed: A Statement of Facts relative to West George Street Chapel, Glasgow, in refutation of the falsehoods of Anglo-Scotus; with remarks;". His biographer, Alexander, says of his reply, "I suppose these are the severest words Dr. Wardlaw ever allowed himself to utter in all the controversies in which he was engaged; and in this case they may, I think, be regarded as fully justified by the conduct of the party against whom they were directed."¹ The Reverend James Pringle published a pamphlet in which he accused the Rev. John Lockhart of Newcastle of being Anglo-Scotus and adduced as among his reasons the fact that some printers in Newcastle had, in Mr. Lockhart's handwriting, an application for a proposal of the lowest terms upon which they would print a pamphlet, whose specimen sheets were of the type and materials of Anglo-Scotus. He also claimed that he had made the charges² to Mr. Lockhart's face, and that they had not been denied.

The identity of Anglo-Scotus is not a matter of moment for us, but his pamphlets did leave wounds and scars. Much of the controversy, fortunately, was fought on a higher level than that of apparent personal animosity, by men who were convinced of the essential correctness of their own position, and its justness. In that certainty, they did not hesitate to use every means at their command either to secure the disestablishment of the Church of Scotland, or to buttress the walls of the Establishment.

1. Alexander, "Wardlaw's Life and Correspondence", p338,9
2. Pringle, James, "Vindication of Voluntary Churches"

Chapter III

The Theological Positions of Established and Voluntary Churches

As is usual in controversy, a difference in thought lay at the root of the dispute between the advocates of Establishment, and those of the Voluntary principle. On each side, there were differing ideas as to the meaning of the Church, and as to the proper function of the state. Each side buttressed itself with Scripture, and attacked the other's reading of Holy Writ.

"The Establishment Principle" emphasizes the national responsibility for religion. It states that the nation has a responsibility to further true religion. In that furtherance, the civil magistrate has something to do with the church, as he gives it his protection, and as he offers his aid in the furtherance of the gospel of Christ. That aid may include the building of churches, and the establishment of an endowment for support, but not necessarily. The text of this way of thought can be said to be "The kingdoms of this world are become the kingdoms of our Lord."

The "Voluntary Principle" was based on the conception of the spirituality of the church. "My kingdom is not of this world", was taken to mean that the church was to deal with spiritual things, and was to be quite separate from the material and the political world. The proper function of the civil magistrate, or the state, was to give the church its protection,

but otherwise to have nothing to do with the affairs of religion.

In this chapter, we shall be examining these two ways of thinking, and shall try to show their various parts and consequences. We shall be considering mainly the bases, of idea and scripture, which undergirded the whole of the controversy, and leave for other chapters further consideration of its various aspects.

"The first Establishment principle declares, that it is the duty of the State to make Christianity the law of the land.^{1.}" Thus Dr. Cooke, of Belfast and the Ulster Synod, set forth the basis of an establishment in his argument there with Dr. Ritchie, of Edinburgh. This contention, here and elsewhere, is based on the idea of the civil rulers being ministers of God for good, and of civil government being spoken of in the New Testament as the ordinance of God. The contention of those who believed in Establishments, was that civil government, as well as the church, is ordained by God. Each has its own sphere, but they are co-ordinate ministers for good. In its realm, the State must make use of the Bible as the standards by which its laws are framed. The church must do all in its power to bring to the people of the state the gospel of Christ, and to lead them into the Kingdom of God.

One representative writer expresses the common convictions of Establishment men, when he treats the subject in the following way:^{2.} The Church is a society founded and instituted by the

1. "The Voluntaries in Belfast", P 38

2. Cunningham, Lecture, November 27, 1834

Lord Jesus Christ, of which he himself is the sole head. For its government upon earth he has made provision, and given directions for appointing office-bearers. They, in managing its affairs, are to act only in his name, and in obedience to his laws - to aim at the salvation of sinners, and to employ, for that end, the preaching of the whole Word of God, the due administration of sacraments, and the proper exercise of ecclesiastical discipline. All this is essential to a Christian Church, and no Church should ever voluntarily, in order to secure temporal advantage, place itself in a situation implying the violation, or neglect, of any of these principles. It is conceded that Christ's kingdom is not of this world, but is utterly spiritual; and that, if it be proved that union or connection between Church and State, of any kind, or in any degree, necessarily implies the headship over the Church of any other than Christ, then the union is unlawful.

The State, or body politic, is to be viewed chiefly with reference to its rulers - the civil authorities. In this view, it may be defined to consist of him, or of them, who, by the constitution and laws of the country, are entitled to make national laws, and dispose of national wealth. The Body Politic, like the Church, is a society in which there must be governors and governed, superiority and subordination. In every State, there must be a supreme power, from which there is no appeal, entitled to exercise absolute authority and to act according to its own discretion in making laws, and in disposing of life and property. This does not refer to any

particular form of civil government, and its truth is not in the least affected by the circumstance of the government being monarchical, aristocratic, democratic, or a mixture of them all. But it is evident, from the nature of the case, that in every kingdom there must be lodged, somewhere, supreme and absolute power of making laws, and disposing of wealth and property, whether vested in one, or in multitudes; whether exercised by an Autocrat, by a Senate, or by a body of popular Representatives. In Britain, for example, the supreme power is, by the Constitution, vested in King, Lords, and Commons, They have not only the power, but, in a certain sense, the right of making what laws for the country they please, and of disposing of the life and property of its inhabitants. They may, indeed, abuse the power which the Constitution vests in them, exercise it under the influence of erroneous and mistaken opinions, or in an unjust and dangerous way, and thus justly subject themselves to the severest censure, and afford good grounds for complaint. Every thing legal and competent may be done, by any one, to lead them to use it aright under the influence of wise and enlightened views. It is even competent for the nation, if it chooses, to alter the Constitution of the country, and it may be lawful for the subjects, in extreme cases of tyranny, injustice, and oppression, to rebel or resist. But, in the meantime, in all ordinary circumstances, the King, Lords, and Commons, have an unlimited power and authority to make national laws, and to dispose of national wealth. They have no right to do this arbitrarily or capriciously, in order

to gratify their own fancy, or to advance their own interests, but they are bound to respect the authority of God, the dictates of right reason, and the best interests of the community. Though some of the subjects should entertain a different opinion from the Legislators, as to the propriety of certain of their measures, that does not in the least affect the right of the Legislature to enact, or the duty of the subjects to obey. The conscience of every inhabitant of the kingdom is concerned with doing all that is constitutionally competent to him, to induce those invested with supreme power to make a right disposal of national wealth.

The thirteenth chapter of Paul's Epistle to the Romans shows, this writer says, that civil government, which implies the superiority of some and the subordination of others, is to be traced and ascribed to God in a more definite sense than that it merely occurred under his providential government of the world. In consequence of this, both governors and governed are under a special obligation, in their mutual relation, and in the discharge of their mutual duties, to have respect to his authority and purposes. God's ultimate end, in civil government, as in everything else, was the promotion of his own glory, in the manifestations of his own perfections, and the salvation of sinners. From this, it follows, that intelligent agents, knowing God's will, are bound in the administration of civil government to seek the attainment of that end.

The state is as much bound to obey Christ as the Church. There is no reason a priori which should render it probable

that, in the formation of a union between them, the State should propose, or the Church should agree, to any arrangement inconsistent with the spirituality of the latter, and her entire subjection to Jesus Christ. There need be no collision of interest between them. The great object of the Church - the salvation of souls - and the leading object of the State, - the welfare of the community - , will be best promoted by preserving the Church's spirituality, and leaving her in a condition accordant with God's word.

Again he insists that it does not necessarily imply any diminution of the spirituality of the Church, that civil rulers should make official proclamation, by national law, that they approve of the Standards of which they find a Church already in possession; that they feel it to be incumbent upon them to give the Church full protection, countenance, and every facility which they can render, and their reco^mmendation to all their subjects to attend upon the ordinances of religion. Then, he questions, "Yet, is this not an Establishment of the Church? Does it not imply a real connection between the Church and the State? Is religion necessarily secularised, is the Church necessarily corrupted from her spirituality, or interfered with in her peculiar functions, if the civil authority should prohibit all manner of work on the Lord's Day; should appoint chaplains for the legislative assemblies, and for the army and the navy; or should make provision for educating the community at the national expense, and should invest the office-bearers of the Church, with some superintendence over national education? And

yet, do not these things imply union, connection, or alliance, between Church and State? Do they not imply, that civil rulers, as such, are doing something in regard to religion? Even if the State should endow the Church, that is, devote a portion of the national wealth to the erection of churches and the support of ministers, although this is not an essential part of the idea of Establishment or union, how is the spirituality of the Church, or its peculiar character, as bound, in all things, to be obedient to Jesus Christ, necessarily affected by this?"^{1.}

In carrying his argument farther, the writer sets forth these points: First, the State and the Church may, and do consist of the same persons. All those who, by the Constitution of the country, are entitled to make national laws and dispose of national wealth, may be members of the Church, and in point of fact, the great majority of them are so. The one function is quite consistent with the other, though each has its peculiar duties and obligations. A member or office-bearer of the Church, on being invested with civil authority, does not cease to be a member or office-bearer of the Church, and must carry with him wherever he goes, the obligations attaching to him in that character. He must carry with him, in every situation, a sense of obligation to promote the interests of Christ's Kingdom, and the prosperity of his church. The diversity of character between the Church and the State prevents any collision between a man's duties as a member of the Church and as a member of the Legislature. Since, however, the ultimate end of both Church and State is the glory of God and the good of men,

1. Cunningham, Wm, Lecture, 1834, p 21,22

there is a broad and solid foundation for some union between them. The vesting of civil authority in the hands of Christians and church members necessarily involves some friendly connection between Church and State, between religion and civil authority.

Secondly, A friendly union, or alliance, between Church and State, is a necessary consequence of Christ's supremacy, of his undoubted right to reign and be obeyed, not merely as King of Saints, but also as King of Nations. The Church and State, are, as it were, two different provinces of his kingdom. They belong to the same Master, they are subject to the same great general principles of government, and they are intended and fitted to serve ultimately the same great ends. There ought, therefore, to be an alliance, or friendly connection, between them. They should love and assist each other, if not as brethren, at least as fellow-workers. Their common subjection to Jesus Christ, and their joint adaptation to accomplish one great end, the advancement of his purposes, should be a firm bond of connection between them.

Next, in the Divine economy of the Jewish Establishment, there was a very close and perfect union between Church and State, and a national endowment of religion. The Church and State were not, indeed, thoroughly incorporated with each other. They still remained distinct and independent, having different laws, office-bearers, duties, and to a certain extent, different members. Yet they were closely united, intimately connected. The priesthood was supported by a national endowment, and all

this was appointed by God himself.

Finally, in almost every nation, whose history is known from sacred or profane writings, there has been some connection between religious and civil authority. The statement of this fact is substantially the same thing as saying, that the light of nature, which has always been recognized as a legitimate source of evidence, is decidedly in favor of the principle.^{1.}

Many other writers wrote in the same vein. Their principal arguments from scripture were from the Old Testament. This, in general, is that there is nothing in the New Testament which rescinds the connection of Church and State which existed in the Old Testament. Since it has not been rescinded, it still has authority for present times. In other words, God expects his people to operate under a theocracy, and to coordinate, as far as possible, the functions of the church and of the state. An obvious argument against this, which was neglected by both sides of the controversy, is that Christ, in setting up his Church did not attempt to continue that which was already in existence in his time--the Jewish temple ordinances, and the Jewish priesthood.

Various passages have been quoted in support of National Establishments. One sermon built itself around Ezra 6, in the commands of King Artaxerxes to the returned Jews. The point is made that the king promised aid from the King's treasure house for the restoration, and thus set a precedent for all time.^{2.} Other passages are from the prophecy of Isaiah. Especial-

1. Cunningham, Lecture, Nov 25, 1834 p 28-38

2. M'Neile, Hugh, Scripture Principle of a National Church

ly Is xlix 23, "Kings shall be thy nursing fathers, and their queens thy nursing mothers," quoted in support of establishment. Psalm lxxii, 10,11, "Kings shall...fall down before him...bring presents...offer gifts." Psalm li, 10,11,12, "Be wise, now, therefore O ye kings, be learned, ye that are judges of the earth. Serve the Lord with fear, and rejoice with trembling. Kiss the Son lest he be angry, and ye perish from the way, when his wrath is kindled but a little." One writer states, "In the New Testament there are no express directions given to kings, because at the time when the apostles wrote, there were no Christian rulers. While, therefore, St. Paul exhorts Titus to put his flock 'in mind to be subject to principalities and powers, and to obey magistrates', he, of course, gives no directions regarding any thing to be said to these principalities, and powers, and magistrates themselves: not because Christian kings have no peculiar duties, but because Titus had no kings among his flock. But though, for this reason, there may be no direct address to rulers in any of the epistles, nor any directions given about exhortations to be made to them, these epistles are not altogether silent about the nature of the ruler's office or his obligations. He is, on the contrary, there distinctly represented as God's vice-gerent, 'a power ordained of God,' Rom xiii 1 -9 'the minister of God for good' to his people, 4 - a power to whom 'they must needs be subject for conscience sake', 5 - and 'for the Lord's sake', I Peter ii 13. Can this be held as implying that the rulers of the

world are, as such, to keep themselves aloof from religion? - that the vicegerent and 'minister of God' is prohibited, in that character, to promote God's glory? - that a 'minister for good', is withheld from communicating to his people the supreme good? Or is not, on the contrary, the very reverse of all this distinctly implied?....Admitting, that temporal good ought to be the bound and limit of the ruler's aim, I trust you are already sufficiently satisfied that this temporal good, the peace, order, and happiness, which all concur in representing it as the ruler's bounden duty to promote, is not less closely connected with the maintenance of religion, than with the establishment of schools, watchmen, courts, prisons, or scaffolds. In such circumstances, nothing can be more clear, than that an obligation to promote even temporal and political 'good' necessarily involves an obligation to consult the religious welfare of the people.^{1.}"

From this quotation, it will be seen that one of the basic pre-suppositions of those who argued for establishments was the existence of the Christian State. They assumed that most, if not all, of their rulers were Christian, and thus bound by the rule of Christ. They also assumed that most, if not all, of the subjects were Christian, and that the State was thus obliged to legislate in terms of Christian principles. Thus, the Bible became the basis of civil legislation, as well as the rule of faith and practice for those who were members of the church. In the following through of this argument, it was held that the

1. Wood, J. "Observations on National Provisions for the Maintenance of Religion" p 17,18

Voluntary position, that the State has nothing to do with religion, would keep the legislature from protecting by law the Christian Sabbath.^{1.}

A further assumption on the part of those who believed in national establishments, was that the nation could be treated and regarded as a family. In one sense, this meant that every person in the nation was regarded as at least a partial member of the Church. He might not be in full communion; he was however, to be regarded as of the church, and the responsibility of the church. This, to a large degree, underlies the work of Dr. Chalmers, as he teaches the necessity of territorial arrangements, and of the location of ministers, so they can go out as "centres of emanation", and make their impress upon the people of the parish. The process of evangelism becomes more a process of education, of teaching all men the truths of the Christian faith.

It is thus, that Dr. Chalmers favorably quotes William Corbett as saying, "An Established Church, a church established upon Christian principles, is this - that it provides an edifice sufficiently spacious for the assembling of the people in every parish; that it provides a spot for the interment of the dead; that it provides a priest, or teacher of religion to officiate in the edifice, to go to the houses of the inhabitants, to administer comfort to the distressed, to counsel the wayward, to teach the children their duty towards God, their parents, and their country; to perform the duties of marrying, baptizing, and burying, and particularly, to initiate children

1. Voluntaries at Belfast, p 38

in the first principles of religion and morality; and to cause them to communicate, that is to say, by an outward act of theirs, to become members of the spiritual church of Christ; all which things are to be provided for by those who are the proprietors of the houses and lands of the parish; and, when so provided, are to be deemed the property or the uses belonging to the poorest man in the parish as well as the richest.^{1.}"

In support of the belief in national religion, was the conviction of the necessity of Covenanting, or renewing the vows which had been made in the National Covenant, and in the Solemn League and Covenant. These vows were viewed as being not only religious in character, but also incumbent on men as citizens. The vows were declared to find their authority both in the Bible, and in the light of nature. The chief subject of the covenants, it was declared, was religion. However, with it was mingled the objects of national liberty, safety, loyalty, and law. As such, it was a blending of both the civil and the religious. It held forth the highest in the interests of the nation, and asked men to preserve or secure them, through their covenant oath.^{2.}

The signing of the covenants had been made a term of communion by the Secession Church early in its history, 1744³. Its founders felt that the Covenants belonged to the statements of faith of the true Church of Scotland, and included them in the articles of their belief. This act was to have its repercussions in the divisions which occurred in that church.^{3.}

1. Chalmers, T, Works, Vol xvii, p 213

2. Willis, M. Lecture on Church Establishments #3, 1835

3. Woodside, Soul of a Scottish Church, p 54

The National Covenant was first signed in 1580, at a time when it seemed as though the Reformation was in danger of being overthrown by the intrigues of the Royal favorites.^{1.} It had been renewed strongly during the reign of Charles I, in 1638, in resistance to the attempt to establish Episcopacy. The Solemn League and Covenant did not originate in the same spontaneous way, but was signed by the English Parliament, the Scottish Convention of Estates, the General Assembly, and thereafter by many people in England, Ireland, and Scotland.

The Covenant oath was responsible to a large degree for the schism which came in the Secession Church over the Burgess oath. That oath required the burgesses of certain towns to profess "The true religion presently professed within this realm, and authorized by the laws thereof." A group, headed by Adam Gib, held that this violated the Covenant Oath. Another group held that it did not. This dispute led to the formation of the Anti-Burgher and Burgher Churches of the Secession. It also resulted in the ex-communication by the Anti-Burghers of the Burgher Synod, in August 1748, when the latter, rather naturally, did not appear to answer the libel which had been drawn up against them.^{2.}

Differences over the meaning of the Covenant oaths led in later years to the division of each of the two groups of Seceders. The Anti-Burghers, at the close of the eighteenth century, began to have doubts as to the propriety of the covenant oath. As we have previously seen, the teachings of Glas,

1. Brown, Church and State in Scotland, p 45,46

2. M'Kerrow's "Secession Church", p 210-234

Hutchison, and Graham were probably at work. The Burgher Synod, about the same time, was struck with the same idea, but managed to solve the difficulty first. Mr. John Fraser presented a petition complaining that to compel men to swear to the covenants without qualification, and to accept the Confession of Faith as it stood, was to identify the Church with a compulsory element in religion. The Synod acted to dissociate itself with any compulsory element in the covenants. As a result, a group of three ministers and three elders withdrew from the Synod, to form the Old Light Burghers.¹ In similar fashion, the action of the Anti-Burgher Synod in revising their testimony in 1804 to declare that the covenant oaths related only to the ecclesiastical realm, resulted in the formation of the Constitutional Associate Presbytery, in 1806.²

The last of these controversies is of especial interest for the Voluntary Controversy. In it, the outstanding figure was the Rev. Dr. Thomas M'Crie, who attained fame as the biographer of John Knox. Mr. M'Crie was a member of the Anti-Burgher Synod, and at his licensure insisted on being released by the Synod from believing in punishment on account of religious beliefs. This was granted him, but a few years later, he switched his position, and became a firm advocate of the Covenants, and of the position which had been taken by the original seceders. His son, writing as his father's biographer, declares that the issues at stake in the revision of the Anti-Burgher testimony were the same as those in the Voluntary Controversy.

1. M'Kerrow's Secession Church, p 582 f

2. *ibid*, p 434-451

It was this similarity of issues, which led to the popularity of Dr. M'Crie's pamphlet on "The Statement of Difference" between the Reformed Doctrine, and the new position of the General Associate Synod (Anti-Burgher). It was quoted to show the true position of the Church of Scotland, and to illustrate the true meaning of a belief in a national religion. The pamphlet had been written by Dr. M'Crie to set forth not only his personal position, but that of the Constitutional Presbytery.^{1.}

His position, as outlined there, and in other works, was that the principle at stake struck to the very roots of the Reformation. He contended that without the recognition of religion by the magistrate, without the co-operation of the secular arm, ~~that~~ much of the Reformation would have been in vain. He judged the reformers to have been right in legalizing religion, in passing laws in favor of it, in protecting the sabbath, in repressing gross violations of the first table of the law. He contended that religion ought to be recognized in the education of the young, in the administration of oaths, and in admission to places of power and trust in the country. To him, any abandonment or modification of the covenants meant leaving behind this recognition of religion. However, he thought that existing establishments were faulty and defective. He disapproved, particularly, of the Revolution Settlement (1690) as having overlooked all of the attainments of the second Reformation. Thus, his declaration of adherence was to the Constitution of the Church of Scotland, "As stated in her standards and acts of reformation."^{2.}

1. M'Crie, T, "Life of Thomas M'Crie, D.D." p 87, 132f

2. *ibid*, p 135

It needs to be emphasized that this position of acceptance with reservations was not that of Dr. M'Crie and his group alone. It rather represented a strand of belief which went back to earlier days of the Church of Scotland. It was a continuing factor, and formed an element, during the Voluntary Controversy, in the position of those who believed in the Established Church.

This factor might be called a belief in the "true Church". It claimed allegiance to the standards of the Church of Scotland, including both the Westminster Confession of Faith, and the Covenants, and yet dissented from the established church of the time. This was done in all sincerity, with the explanation that the present church was derelict in the observation of its beliefs, and full of error. This belief with dissent had led the Cameronians at the Revolution settlement to refuse to enter the re-constituted Church of Scotland. This they did on the grounds that the settlement failed to recognize the Covenants, for which they had fought so bitterly and died so valiantly, and omitted an important provision of the Assembly of 1647 concerning the power of the Assembly to constitute its own meetings¹. The founders of the Secession Church likewise emphasized the importance of the Covenants, and the necessity of recognizing them. They thought, however, of patronage as a major evil in the Church of Scotland of their day. Their reasons for refusing to re-enter that church, pointed out the necessity of freedom for ministers to testify against ecclesiastical actions, the nullifying of patronage, and the admission

1. Brown, "Church and State in Scotland", p 111-113

of only qualified men to the ministry. Until some action had been taken by the Church of Scotland to rectify these matters, they felt that they were justified in remaining outside of that church, and bearing their own testimony.^{1.} This testimony had been carried on by both the Burgher and the Anti-Burgher Synods. Later, when the testimony was modified at the beginning of the nineteenth century, as we have seen, the New Light groups still claimed outward allegiance to this testimony, though their standards were modified in regard to it. It was this which brought the taunt from Established Churchmen during the Voluntary Church-Controversy, that the Voluntaries were faithless to their own standards.^{2.} Some members of the Establishment also held that the church in which they communed was in need of yet further reformation. In this they joined with those who held to the ideal of the "true church", and who stressed the need for reformation to bring the existing church into conformity with the ideal.^{3.}

Running through all of the claims which are made in behalf of the establishment of true religion, is the assumption that the presbyterian system of government, and the standards of the presbyterian church, particularly the Westminster Confession of Faith, constitute "true religion." One lecturer, arguing for the establishment of the Church of Scotland, makes this statement: " All the arguments which have been employed in behalf of a civil establishment of religion, have assumed it as incontestable, that the magistrate is bound to support

1. M'Kerrow's Secession Church, p 91,92

2. Ibid, p 764

3. Report of Public Meeting, Glasgow, Jan 31, Feb 1, 1833

the true religion, and the true religion only. I do not consider it necessary to confute the specious argument of infidels, that religion is matter of private judgment, and that if a man be sincere in his creed, that creed is to him true religion. Any thing so monstrous, both in principle and in practical application, no Christian Voluntary can for a moment approve. Neither, is it necessary to demonstrate to a believer in Scripture, that every man may discover there what the true religion is, in opposition to all false systems of worship.^{1.} Thus, the reading of the Scripture will discover the true religion, which, they are sure, is that set forth in the standards of the Church of Scotland.

The sureness and firmness of the belief that the civil power must necessarily arrive at a right determination of doctrine was rooted and founded in the experience of the Reformed faith. Zwingli had furthered the reformation in Switzerland through the media of debates, and had depended on the decisions of the town council to establish reformed principles. Calvin, in a like manner, had worked with the governing body of Geneva in his time of influence in that town. Above these, however, was the manner of the giving of the Westminster Confession of Faith. That confession was the work of a body of divines, called together by Parliament, to work out a system of doctrine and a statement of belief, which would remove the causes of conflict between churches. The conflict of the High Church party in the Church of England with the Puritans, and the at-

1. Smyth, J., Lecture on Church Establishments, #2, 1835

tempt of Charles I to enforce absolute conformity, had led to the abrogation not only of religious but civil rights. When Charles, pressed by the need of monetary resources, had at last called Parliament, they determined to press for religious reformation, as well as for a restoration of civil rights. It was in these circumstances that the Westminster Assembly of Divines was called, and convened on July 1, 1643. It was out of the deliberations of this body, that the Confession of Faith came. It was thus the result of the action of a parliament which has summoned an advisory group to determine the truth as it is set forth in the Bible. The advocates of the Established Church were sure that the same result would be obtained in all circumstances, and that the Confession of Faith would be upheld.

Along with the assurance that the Presbyterian standards set forth the true religion, went the conviction of the power of the Spirit to reveal that religion. The advocates of establishment are sure that if a man but read the scriptures, the "Word of God", he will be convinced by them, and will be led to see the true religion and to support it. One lecturer stated: "...We hold...that every man is responsible for the opinions which he entertains - that the mind of God is recorded in his word in point of fact - and that it is at our peril if we take any other meaning out of it than what he designed to convey. This principle every sound Christian must hold, whether he be churchman or voluntary. And if we apply it to the question, as to the duty which we contend to be binding upon civil magistrates - the duty of countenancing and support-

ing the true religion - it scatters at once to the winds the charge, that we are laid, by our own principle, under the necessity of justifying the establishment of a false religion, if it only chance to be the religion of the rulers of any given state. It is their business to find out the truth. And if our opponents mean to affirm, that rulers cannot so certainly arrive at the truth of God, as to be entitled to say, "This is the mind of the Spirit", and we shall therefore use our official influence to have it presented to the minds of the people, that they also may rejoice in its light, and participate in its blessings? - then, I say, that such an affirmation, involves an impious libel upon the wisdom of Him by whom the truths of the Bible were revealed. If its meaning be so involved in ambiguity and uncertainty, that the rulers of a nation can never be assured that they have rightly ascertained what it is, then may every individual subject of these rulers, with equal propriety and justice, plead the same excuse, and, to avoid the danger of falling into an erroneous view of the Scriptures, refuse to entertain any of their doctrines at all. And who does not know that this is just the hackneyed argument of the infidel, who pretends that, because so many different opinions exist as to what the Bible really teaches, there can be no precise or definite truth in it at all; and therefore rejects the whole volume as unworthy of his confidence? From such a sentiment every Christian recoils with abhorrence. But if an individual private Christian may attain to the knowledge of the truth, it is clear, that so also may

the rulers of a nation." ^{1.} Here is the conviction of the power of the Spirit in enlightening the eyes of the individual, and of the civil magistrate to understand the Scriptures. This conviction was widely manifested, and was stated as the method for determining the true religion. Reliance was on the help of the Spirit, in leading to an understanding which would establish the standards of the Church of Scotland.

Still another idea of importance in the conception of the established church of Scotland, was the idea of Spiritual Independence. At its very inception, the Church had declared that it owned no head but Jesus Christ. Its battles with the Stuarts had been over the issue of the Independence of the Church. It refused to proclaim, as did the English Church, the king as its head. Repeatedly, it asserted its independence to call its assemblies, to transact its business, and to regulate its affairs. The idea that there were two kings within the realm, and that the secular king also owed obedience to King Jesus, was a part of its heritage. It denied the doctrine of Erastus that the Church and the State are not two distinct and independent kingdoms, but only different branches or departments of the one great community of the nation; and consequently that the church's government and discipline belong to the state, and depend on the will of the supreme civil power. It did, however, define the function of the civil magistrate as confined to civil affairs, and the function of the church as ecclesiastical or spiritual affairs. It was stated, "The independence of the church is that with respect to the state,

1. Buchanan, R. "Lectures on Church Establishments," 1835 #1

which the independence of one state or nation is with respect of another....The church within her own territory or spiritual sphere, is subject to no earthly power; derives her right of government immediately from Christ; is responsible to him alone while acting within her province, nor interfering with the rights and duties proper to the state; is entitled to hold her own assemblies, appoint her own office-bearers, enact her own rules of order for carrying into effect the laws of her King, apply and enforce these rules by means of spiritual censures, and generally to manage her whole internal affairs, without any control from without.^{1.} Christ was the king of the church, and his kingdom was quite capable of independence. The Civil Magistrate, however, owed Christ obedience also, and the conduct of the secular kingdom, while independent of the Church, was still under the jurisdiction of Christ.^{2.}

Many of these conceptions the Voluntaries challenged. As we have seen in previous chapters, the church, in their conception, did not include the whole nation, but only those who had been gathered out of the world by the call of Christ. This conception sets up an antithesis between the church and the world. It is with a great deal of truth that one writer, on the establishment side, said, "Voluntaries are in the habit of speaking as if they identified the State, or civil authority, with the world, the evil world, which is subject to Satan, and necessarily at enmity with God..."^{3.} It is true that there was

1. Brown, C. J. Lectures on Church Establishments, 1835, #4

2. *ibid*

3. Cunningham, W. Lecture Nov 24, 1834, p 24

a range of opinions among the Voluntaries as to the exact place of the civil magistrate. Some would have said that the Civil Magistrate did have something to do with religion, but that that something was to be governed by the principles of the Bible. On that basis, they claimed, Voluntaryism was the system which the Civil Magistrate would further. Others, like Dr. Wardlaw, went further in their ideas, and said that the civil magistrate had nothing to do with religion. This is based on his idea of the nature of the kingdom of Christ.

The extreme position of the Voluntaries is best stated by Dr. Wardlaw, one of the leaders in the controversy, in his London lectures. It is also one of the best statements of the Voluntary Position as a whole, and for that reason, the following extensive quotation is given. There, Dr. Wardlaw said:

"I must now briefly notice some of the distinguishing characteristics of the kingdom of Christ, as it stands in contrast with the kingdom of this world; from which may be made apparent its incapability, according to its primitive constitution, of any kind of incorporation with them.

First of all, then, this kingdom was peculiar in the manner of its introduction. - 'The kingdom of God,' said Jesus, in answer to a question of the Pharisees respecting the time of its coming, - 'The Kingdom of God cometh not with observation.' - that is, according to the marginal rendering 'with outward show.' It came not with the din and tumult of war, or with the pomp and pageantry and imposing splendour of an earthly monarchy. Every thing of this kind would have been out of all congruity with its nature. It came, as our context intimates, with the exhibition and attestation of 'truth'; with its mighty but silent energy on the minds of men; with 'demonstration of the Spirit and of power.' 'Behold!' added the Saviour, - 'the kingdom of God is within you.' It is spiritual; it is internal; it is the dominion of the God of love, and peace, and purity, over human hearts.

It was peculiar, secondly, in regard to the character and principles, as described by the King himself, of those who should bear office in it, and conduct its affairs. - When there had arisen an unseemly strife among his disciples 'which of them should be the greatest', - 'The kings of the Gentiles,' said their Master, 'exercise Lordship over them; and they that exercise authority upon them are called benefactors. But ye shall not be so; but he that is greatest among you, let him be as the younger; and he that is chief, as he that doth serve. For whether is greater, he that sitteth at meat, or he that serveth, is not he that sitteth at meat? But I am among you as he that serveth.' It is remarkable, indeed, how uniformly, and with what vigilant jealousy, he discountenances and puts down every tendency that discovered itself to an ambitious and worldly spirit, as especially incompatible with the nature of his kingdom, and with the part which they were to act in it, as his vicegerents, when he had himself sat down on his throne of mediatorial dominion. All is anti-secular; all humble, holy, heavenly; utterly dissociating the kingdom in which they were to exercise their functions from all the politics of this world.

It is peculiar, in the third place, in its grand design. - What is that design? - what the leading object in view in the establishment of this kingdom? It is nothing at all earthly; nothing relative to this world; nothing terminating on this side eternity. 'It is a means,' says an able writer, 'of a purely spiritual character, having reference to objects as vastly transcending in importance every thing with which the speculations of politicians are conversant, as eternity is longer than time. It has one simple end, to which, as a means, it is perfectly and exclusively adapted; that end is the salvation of the soul. Its perfection consists in its simplicity and universality, while its efficiency depends upon the promised agency of the Spirit of God: - and, as these its peculiar characteristics were most strikingly displayed before it had any alliance with wealth or power, when it was employed in defiance of their utmost efforts of opposition, so it is incapable of being aided in its divine achievements, it cannot but be injured, by a combination with secular means of human invention.'

A fourth peculiarity consists in the character of its subjects. - What fits a man for being a subject of this kingdom? Nothing local, nothing secular, nothing connected with the temporalities of the present world. The King of Zion himself has solemnly affirmed, - 'Except a man be born again, he cannot see the kingdom of God.' Its only genuine subjects, then, are renewed sinners. They are everywhere the same, - in every

country under heaven, and amidst all diversities of civil government; - one spiritual community, composed of men 'of every kindred and tongue and people and nation,' who whatever be their earthly distinctions, are 'all one in Christ Jesus;' as citizens of this world, the subjects of various earthly monarchs, but as citizens of the Jerusalem that is above, fellow-subjects of Him alone who 'hath on his vesture and on his thigh a name written, King of kings, and Lord of lords.'

This may be connected with a fifth peculiarity - the bonds of union by which the members of this spiritual community are connected. - These are no geographical boundaries, nor common vernacular language, nor civil institutions and observances. In our context, they appear summed up in one word, - 'The Truth:' - 'Every one that is of the truth heareth my voice.' And the evangelist by whom these words are recorded, himself says elsewhere: - 'Beloved, let us not love in word, neither in tongue, but in deed and in truth; and hereby we know that we are of the truth, and shall assure our hearts before him:' and, speaking of one of his friends, he says; - 'whom I love in the truth; and not I only, but also all they that have known the truth, for the truth's sake, which dwelleth in us, and shall be with us for ever.' They are thus united by ties of their own; by a common faith; by common spiritual interests; by common affections and desired centering on the same spiritual objects; by common fears and common hopes, in which other men have no participation; and by all the mutual spiritual sympathies of the divine life.

In the sixth place, the constitution of the primitive churches was peculiar, bearing no analogy to the kingdoms of this world. - They were societies of spiritual men, each with its own office-bearers, minding its own spiritual concerns, and having no sort of connexion with the secular governments of their respective countries. This simplicity of constitution has many excellencies. By its entire separation from the secularities of earthly administrations, it was admirably fitted for preserving the spirituality, which is the true glory, of the church. It was not less admirable in its fitness for universality; there being no nation under heaven for which the Gospel was not designed, and no government under heaven with which the formation of these spiritual societies could interfere. And it was further worthy of admiration, in its being so constructed as not to admit of incorporation; so that, before it could take place, a complete alteration was necessary in the whole frame and structure of the original plan. The primitive constitution was thus modelled for the very purpose of keeping asunder what the

Lord never meant to be united; and it was necessarily changed by men, to effect the union of what the Lord designed to keep asunder.

A seventh distinguishing characteristic of this kingdom, is to be found in the means of its support and advancement. - These were not, as in earthly kingdoms, human power or worldly influence, in any of their diverse forms. Those who, to defend or promote the interests of this kingdom, 'took the sword,' were warned that they should 'perish with the sword'. It was not to prosper 'by might nor by power, but by the Spirit of the living God;' that God who 'chose the weak things of the world to confound the things which were mighty.' The word of God - the sword of the Spirit - was the only weapon tolerated in the spiritual wars of the King of Zion. This was the sword which He himself 'girded upon his thigh,' when, 'in meekness, and truth, and righteousness,' he rode forth to 'subdue the people under him;' and no other was ever used with his authority or approbation. His conquests are conquests of hearts; and the instruments of effecting them spiritual illumination and persuasion.

The same thing is true - and this is another peculiarity - in regard to the internal government of the church. - This is altogether in unison with the means of advancing its extent. Of all the discipline in the kingdom of Christ, the ends are spiritual; and for effecting these ends, it is not any civil pains and penalties that are prescribed; it is affectionate and faithful dealing with the conscience of the offender; reproof, dictated by the spirit of kindness, and proportioned in severity to the nature and circumstances of his offence; and, as the ultimate step, beyond which no church can go, exclusion from the Christian society of which he has proved himself an unworthy member. All this interferes not, in any way whatever, with his status, and his privileges and rights, as a member of civil society, and a subject of the government of his country; his relation to the Church and his relation to the state being essentially and totally distinct.

The last of the peculiarities of this kingdom, which I shall now mention, is, that it is 'not of this world', in regard to its final distinctions. - Its gracious rewards, and its equitable punishments, are beyond the present scene. They are reserved for the closing day of the Redeemer's mediatorial administration; when all his professed subjects shall be convened before his tribunal for judgment; when, by the discriminative test of his own word, the genuine shall be separated from the counterfeit, the precious from the vile. The inquiry, in that day, will not be, to what

civil community they belonged on earth; what was their birth-place; what their patronymic designation: but whether they were really partakers of his converting grace, and loyal subjects of his spiritual reign.

From the enumeration of the 'differential qualities' of the kingdom of Christ, you will be prepared for the conclusion, that it is the systematic and unavoidable tendency of national Establishments to corrupt the Church of God. - I am far from meaning to say, that there was no corruption in the church till such Establishments came to be introduced. That would be a very different proposition - a proposition at variance with the plainest intimations both of early history and the New Testament itself. There was corruption, and no inconsiderable portion of it, in some of the apostolic churches themselves. But the corruption was local and limited; and what is of more importance, it was not occasioned by the system. It was neither inherent in its principles, nor a legitimate result of its practical operation; it was contrary to both. It arose principally from the arts of deceit, on the part of intruders, who, for their own selfish and secular ends, 'crept in unawares.' among the disciples of Christ. In the system, or constitution of the Church itself, there was quite sufficient means, when duly applied, if not of its entire prevention, (which would have required a perpetual miracle,) yet of its immediate and effectual expurgation whenever it discovered itself. In the case we are considering, corruption, we fear, and that to a mournful amount, is inseparable from the system. The very idea of nationality in religion precludes the possibility of spirituality and selection."¹.

The writings of Dr. Wardlaw, extreme voluntary though he is, are not to be taken as indicating that he would forsake all connection of religion with the state. Rather, he would forsake all formal connection. He would strive, as would all of the Voluntaries, for a state which was filled with religious principles, but which carried them into operation simply by the Christianity of the individuals who composed the state. The voluntary position was that they were not opposed to religion in the state, but to compulsion in favor of religion.

1. Wardlaw, R, "Civil Establishments of Christianity" p28-34

There are in the controversy several real issues at stake. One is that of national responsibility for religion. Another touches on the nature of the kingdom of God. Still another has to do with the use of means in the spreading of the gospel. Another is the relation of the Old Testament to the New. All of these issues were not brought out into the open by the controversy. Some of them were implied in what was said, and the positions taken, but all were quite real.

The largest issue was that of national responsibility for religion. We have tried to show that the difference in statements of the two groups was due to a difference in concept as to the nature of the church, along with other things. The establishment followers contended for national religion, and for a recognition by the civil magistrate of the true religion. Voluntaries contended that religion was a spiritual thing, that the church consisted of those who had been called out of the world, and that it could not be on a national basis. However, on the point of national responsibility for religion, the establishment seems to have the better of the argument. Politics does not run in a vacuum, and has need of some sort of philosophy. If it fails to recognize its religious responsibility, it can become completely secular, or anti-religious. Implicit recognition, as contended for by the voluntaries, is not enough. Succeeding generations forget the things that were implied in the actions and deeds of their fathers, and require a repeated statement of the basis by which they live and act. In this, the Establishment was quite right in insisting that

there should be recognition by the government of religion- so that vows, education in schools, laws, and the restraint of evil should have a basis in Christian belief, rather than standing solely on the light of nature.

The strongest attack, in all probability, which can be made against a single establishment, is that which comes from the concept of equity. The idea of freedom in Religion, and of the equality of all men is in direct antithesis to the concept of one absolute church, which is the repository of absolute truth.^{1.} The idea of liberty and of equality had been encouraged by the French Revolution, by industrial changes, and the general drift in politics towards democracy.^{2.} This idea of liberty and freedom is difficult to reconcile with the idea that only one group, or one church, can be in possession of the truth.

The voluntaries made their attack on the Scottish Establishment partly on this ground. They questioned seriously that the establishment was the repository of truth. They, too, were presbyterian in their standards and in their government. Though accused of "latitudinarianism" - or of holding and embracing all shades of opinions without much regard for truth - they felt that the truth was equally theirs. As pointed out by Troeltsch, this Free Church view is a part of the ideological force which would replace the State Church with voluntary churches.^{3.}

1. Troeltsch, "Social Teaching of the Christian Churches," p 656
2. Henderson, G.D. "Claims of the Church of Scotland" p 151
3. Troeltsch, p 659

Along with the belief in the Magistrate's responsibility to recognize religion, went the contention that he should also provide support for the establishment. On the part of the believers in establishment, this seemed a natural consequence of the responsibility of rulers toward religion. Not only protection, but an adequate maintenance should be supplied. Some means should be supplied for the building of churches, and for the paying of an adequate stipend to the minister of the parish. The endowments of the Church of Scotland were thus regarded as a logical means of providing that support. It was a means by which the poor could be offered the benefits of the gospel without cost. Indeed, the Church of Scotland prided itself on being "The poor man's church", and on the fact that he did not have to pay for the support of his minister, as did the members of the dissenting churches.

While the Church of Scotland was quite content to be the recipient of teinds, it did not examine too closely the Biblical teachings on church finance. There was no need to do so. The situation as it was, was satisfactory to them. They had already a source of secure income and were concerned only as they were compelled to defend it against those who would have deprived them of a means of provision for their clergy.

Of necessity, the dissenting churches had had to develop quite a different philosophy. With no endowments, and no legal support, they had been thrown for support on the generosity of their people. It was this support by voluntary contributions which gave their movement, and the controversy, its name. At the same time, the advocates of voluntaryism were compelled to

search their Bibles for support for their system. In that scrutiny, they came to believe that the system of support to which they had been driven by necessity, was the one found in the New Testament. In controversy, they made use of this fact, and proclaimed that they were simply returning, and advocating a return, to New Testament principles of support.

The text around which most of this reasoning was based, is found in I Corinthians:9:14. It reads, "Even so hath the Lord ordained, that they who preach the gospel should live of the gospel." The point is made that the levitical means of support, the tithe, vanished with the levitical orders. It is contended that even as there is no attempt to carry forward the orders of the Old Testament priesthood, into the Church, so there should be no attempt to carry forward the Old Testament means of support. Rather, the means of support set forward in the New Testament should be used by the Church. It is further stated, that even though some case could be made for tithing, none can be made for tithes as compulsory, legal obligations.

From this, the Voluntary means of support was deduced. It was declared that the obligation for the support of the Christian ministry lies on the Church. In making this statement, they were in direct opposition to Churchmen, who contended that the obligation for the support of the gospel lay on the state, as a part of its moral and spiritual responsibility.

Further, it is declared that the obligation to support the ministry lies on those who enjoy the benefit of his labors. It was this part of the Voluntary belief, which was attacked by

Dr. Chalmers, in his analysis of Voluntaryism, as he talks of Voluntaryism "ab intra" and Voluntaryism "ab extra"^{1.} In making this distinction, he classes Dissenting Churches as those which exist by Voluntaryism "ab intra"--that is from within themselves. To this, he contrasts the voluntary giving of the Established Church for the building of additional buildings, and calls this joint effort voluntaryism "ab extra", or the whole giving over and above things necessary, in order that the church may be extended. However, his distinction rests on mis-understanding. Dr. Chalmers has apparently become convinced that Voluntaryism is simply free trade in religion, and has nothing to do with the support of the weak by the strong. From his argument against Voluntaryism, it would seem that he had read the opening works of the Rev. Mr. Marshall, and little else on the subject of Voluntaryism. For the voluntaryism of his opponents is not his "Voluntaryism ab intra". It is rather his more magnificent "Voluntaryism ab extra". It was a part of Voluntary belief that while there was a special obligation on the people who received the benefit of a minister's labors to support him, there was also an obligation on strong churches to help the weak, and the rich to help the poor.

The Voluntaries also contended that the obligation of support was not a legal, but a Christian obligation. Support was not to be enforced by law, but was to be entirely voluntary. This throws the work of the church, and the ministry, on the benevolence of the people of God, and it was the belief and the boast of the Voluntary that that support did not fail.^{2.}

1. Chalmers', T. "Works", XVII, p 255

2. Paterson, R., "Divinely appointed mode of Supporting the Christian Ministry."

Another issue which was never quite explicit, was that of the differing conceptions of the kingdom of God. A reading of the selection given from Dr. Wardlaw will show that his conception of the kingdom of Christ, was something which would be established only at the second coming of Christ. That kingdom had nothing to do with this world. All that a believer could do was to have faith, and to wait for the coming of Christ to establish his kingdom. This was the conception which was given to the text "My kingdom is not of this world." By contrast, the believers in establishment, looked for the consummation of Christ's work in this world. They looked forward to the time when princes and kings should acknowledge Him. Their belief quite definitely had a this-worldly, as well as an other-worldly aspect.

From the idea of the spirituality of the kingdom, and the inwardness of its nature, comes a reticence against the use of any means other than spiritual in establishing or upholding it. It is true that the majority of the Voluntaries were not willing to go to the lengths of James Haldane, who is quoted in a following chapter to the effect that though he does not believe in establishments, he would not lift a finger to destroy them, if he could. Indeed, they were led into a contradiction of action and belief. Part of their opposition to endowments and taxes was due to the belief that a spiritual work must be supported by a spiritual means. They considered that only in the voluntary system, did the spirit of God have full play. Yet, though declaring that the spiritual nature of the church kept

it from using such a worldly means as the civil magistrate, the Voluntaries made use of the "Scottish Central Board" as their political organ. They used all of the means under their control in the controversy. Yet, I am not at all sure that their emphasis on the spirituality of Christ's kingdom, did not give them a slightly guilty feeling, that they were stepping beyond the legitimate bounds, in their use of means to combat the establishment.

It was from this idea of the spirituality of the kingdom, too, that the charge of necessary corruption in an establishment came. We have seen that the Church of Scotland had asserted through the years its idea of Spiritual Independence. It had claimed, that though it was a church connected with the state, it was still free to do the commands of Christ. He, and He alone, was head of the church. The Voluntaries, however, replied with the spirituality of the church and its membership, pointed to the corruptions of civil life, and stated that any connection must necessarily corrupt the church. They doubted the purity and independence of any church which used political means, and was supported from the public treasury.

Another basic difference between the Voluntaries and the believers in Establishment, lay in their approach to Scripture. The writers of the Establishment generally adopt the principle that both Old and New Testaments are the word of God, and equally applicable. They apply the rule that the positive commands of the Old Testament are to be regarded as still in force, unless there has been an equally positive rescinding of the ordi-

nances. This point of view led, to a large extent, to an interpretation of the Bible as a whole through the eyes of the Old Testament.^{1.} By contrast, the emphasis of the Voluntaries is on the New Testament. Dr. Wardlaw emphasizes the New Testament as the standard of God's truth.^{2.} He was followed in this by a large number of Voluntaries, who seemed to take the New Testament as the complete revelation of faith. This difference in approach led to two different statements about the Church. In the writings of the Establishment defenders, the church has its beginnings in the days of the Patriarchs. It is recognized and established by Jewish kings. And that establishment is enough to make valid the establishment of religion in the Christian dispensation. By contrast, the Voluntaries think of the Church as founded by Christ, and as having its first existence in the days of the apostles. The idea establishing this primitive church, which is Christian as compared with Jewish, is to them absurd, and the point of corruption of the faith. To the Voluntaries, the Old Testament must be interpreted in the light of the New, and the Christian dispensation.

These then, are the ideas and beliefs around which controversy formed. Starting from differing points of view, embracing different beliefs, it was natural that the controversy should be heated and prolonged. Each group was fighting for cherished convictions, and believed its cause to be the cause of Christianity itself.

1. Smyth, Lecture on Church Establishments, #2, 1835
2. Alexander, "Wardlaw's Life and Correspondence" p 318

Chapter IV

The Influence of the Voluntary Controversy in leading to the Actions of the 1834 General Assembly

In Scottish Church History, the General Assembly of 1834 is a key to the events of the years to follow. Any student of the Non-Intrusion controversy, the conflict between Church and State which resulted in the Disruption of 1843, and the formation of the Free Church of Scotland, must be aware of the actions of this Assembly, and of the events that followed in their train. It is our purpose in this chapter to show that the Veto Act, and the Chapel Act, which were ratified by this Assembly and had such far-reaching consequences, were helped towards passage by the Voluntary Controversy.

In the minds of many ministers and members of the Church of Scotland, Patronage was the prime evil of the Establishment.^{1.} They considered that Patronage had been responsible for the formation of the Secession and Relief Churches, and the accession of many people to them, from the Church of Scotland.^{2.} Under the influence of the Voluntary Controversy, they moved to limit Patronage, and to restore a vestige of popular rights.

Patronage, in Scotland, was a heritage from the days of the Roman Catholic Church, and canon law. Under this system, each parish had a Patron, who was responsible, when the parish had no minister, for presenting someone to the charge. The minister selected had to be chosen from the ministers or licentiates of the Church of Scotland, but otherwise the choice

1. Report of the Formation of Glasgow Association for Promoting the Interests of the Church of Scotland
2. Report of Debates on Overtures anent Calls, 1832

was in the hands of the Patron. During vacancies, the Patron^{1.} was entitled to collect the stipend of the parish.

Patronage had been followed in the Protestant Church, in the period from the Reformation, with varying degrees of stringency. In the period of William and Mary, patronage was abolished. It was restored, however, in 1712, in the reign of Queen Anne. Thus patronage had been the custom of the church, and the law of the land, from the time before the Reformation, with the exception of the years between 1690 and 1712.^{2.}

The objection to patronage was based to a large degree on the conception of the call in the Presbyterian Church. The second book of Discipline, in 1578, asserted "none should be intruded upon any congregation, either by the prince or any inferior person, without lawful election, and the assent of the people over whom the person is placed." In the period between 1690 and 1712, the responsibility for the calling of the minister was placed in the hands of the elders and the heritors of the parish.

With the restoration of patronage, the call was retained in the doctrine and order of the church. It did, however, become less and less effective. The ascendant part of the Church of Scotland for most of the eighteenth century was the Moderate Party. Under their lead, objections to the presentations of Patrons were overridden, and the call was reduced to

1. Sir Henry Moncreiff Wellwood, "A brief Account of the Constitution of the Church of Scotland", p 25-27

2. *ibid.*

a mere form. Indeed, Moderate expression went so far as to claim that the call was merely an opportunity for the people to extend a welcome to their pastor.^{1.}

Insistence on the right of congregations in the call of ministers, over against absolute patronage, had been at least a major cause in the foundation of the Secession and Relief Churches. The immediate cause of the Secession in 1733, was the passage of an Act of Assembly ^{describing in the} called the 'Jus Devolutum'. It had been the habit of presbyteries, when patrons left pastorates unfilled, to leave the election of the minister to the congregation, or to a representative section of it. The ¹⁵ Act would have required that only heritors and elders should vote in the election of the minister. Against this limiting of the franchise, Ebenezer Erskine protested in a sermon preached in 1732 as Moderator before the Synod of Perth and Stirling. For this, Erskine, and three others were rebuked successively by the Synod, and by the General Assembly, and suspended from the ministry. These four met in December 1733 at Gairney Bridge, and constituted themselves into the Secession Church. When a later Assembly made overtures for their return, they presented six points as a minimum basis for their return, the fourth of which was: "That should the Patronage Act not be repealed, the acceptance of presentations be declared contrary to the principles of this Church; that all preachers accepting of them be deprived of their licence; and that all ministers guilty of a similar transgression be suspended, or, should they per-

1. Report of the Debate on Calls, 23 May, 1833

tinaciously adhere, be deposed. Further, that it be enacted that in all time coming no minister shall be settled in any congregation without the call and consent of the majority of that congregation who are in full communion.^{1.} These six points were not accepted, and the four remained outside the Established Church, while considering themselves to be members of the true, reformed church of Scotland.

The call was also the cause and occasion of the actions of the General Assembly against Thomas Gilliespie, and the formation of the Relief Church. After the passing of the Act of 1712, by which Patronage was restored, divergent views were held as to what the Patron was entitled to do. One group held that it did not matter how many people signed the call, but that the Presbytery was bound to sustain it, if it found no objections to the presentee's life and doctrine. Another group held that the Presbytery was to consider each case on its merits, and to consider if the settlement would be for the peace and edification of the church. Between 1733 and 1752, the party able to secure a majority in Presbytery, determined which of these two views was carried through.

In these years, the Assembly held that the Presbytery had no right to refuse to induct a Presentee, simply because his call did not contain a requisite number of signatures. In instance after instance, the Presbytery was instructed to proceed with the induction. In a good number of cases, the majority of the Presbytery refused to acquiesce. In these cases, the

1. Woodside, "Soul of a Scottish Church", pp8-15

Assembly had recourse to a committee which was empowered to make the settlement, and which was called in popular language a "riding committee". Their settlements were sometimes the scenes of near mob-action and rioting.

In 1751, Mr. Robertson of Gladsmuir, later Principal Robertson, theologian, orator, littérateur, and ecclesiastical statesman, made his maiden effort in seconding the motion in the meeting of the Assembly's Commission to suspend the Presbytery of Linlithgow for not carrying through a settlement. In the next year, he led the movement which (deliberately raised a quorum from three to five) and commanded the Presbytery of Dunfermline to make a settlement at Inverkeithing, where the people objected to the presentee of the patron.

The refusal of the majority of the Presbytery to act according to Assembly action, was taken up at the meeting of the General Assembly in 1752, when the minority of the Presbytery reported they had been able to secure an attendance of only three for the induction. The whole of the Presbytery was called to the bar of the Assembly, to give reasons for failing to carry out the direction of the Assembly. The majority protested that the Assembly on previous occasions, specifically in 1736, had declared that ministers should not be intruded against the will of the congregation, and that they could not in conscience have a part in doing just that. The Assembly, by a vote of 93 to 65, decided to depose one of the members of Presbytery. Votes were taken against the various members, and Thomas Gilliespie, as having the largest number, was deposed.

NINE

For ten years, Gilliespie continued alone. A part of his congregation and session had remained with him, and he organized them into a congregation. He proclaimed that he was ready to hold communion with all who loved the Lord Jesus Christ. After ten years, he was joined by Boston of Jedburgh, and by Thomas Collier, of Colinsburgh, to form the Presbytery of Relief, in October 1761. They proclaimed that they held themselves bound by the authority of Christ to fulfil their ministry in Scriptural fashion, and to act for the relief of^{1.} oppressed Christian congregations.

These two churches grew rapidly in the soil in which they were planted. The Secession church divided in 1747 till 1820, and then reunited. At the time of its union with the Relief Church, which was to come a few years after the close of the period under discussion in this paper, it numbered 453 congregations.^{2.} The Relief numbered 136.

In the years that followed, the Call was whittled down in importance by repeated decisions of the Assembly. In 1782, there was a movement to abolish the Call altogether. There were overtures before the General Assembly to discard from the established proceedings the formality of moderation in a call. The Assembly, however, declared, "the moderation in a call, in the settlement of ministers, is agreeable to the immemorial and constitutional practice of this Church, and ought to be continued." However, it was thought that little or no value was attached to the signatures upon a call, and a call might

1. Woodside, "Soul of a Scottish Church," ppl4-27

2. *ibid*, p 27

1.

be moderated if only there were some signatures on it.

In the early years of the Voluntary Controversy, the balance of power in the General Assembly shifted from the Moderate party to the Evangelical, or Popular party. Dr. Andrew Thomson, of the Edinburgh Christian Instructor, was partly responsible for this shift. Partly responsible, too, was the warmth with which Dr. Chalmers embraced and taught the evangelical faith. The Moderate magazine, the "Church Review", also blamed their own inertia in seeking new ministers for their own party as a reason for the shift in power. In any event, the Assembly of 1832 saw an increase in Evangelical strength, the Assembly of 1833 saw them almost at a par, and the 1834 Assembly saw the passing of the Veto Act, and the Chapel Act, in an effort to revive the home mission enterprise of the Church.

The Assembly of 1832 was conscious of the challenge of the Voluntaries, and of the strength of public opinion for dis-establishment. The Rev. William Clugston, of Forfar, opened the debate as he supported the overture of his own Presbytery (one of eight Presbyterial, and three synodical overtures). In his speech, he denied that he was demanding the overthrow of Patronage, and insisted that the right of the call was quite separate from the right of presenting the minister. In his argument for its restoration, he took notice of the contemporary situation saying, "Our church is, I am persuaded, still dear to the affections of the great body of

1. Watt, "Chalmers and the Disruption" p 117, 118

our population; and well may Scotland's church be endeared to Scotland's sons, for her standards are scriptural, and her forms of worship are simple and impressive - and many are the excellencies for which her constitution is distinguished. There are, too, among her ministers, men eminent for their talent and acquirements, and faithfulness, and piety, and zeal. And there are among her members multitudes who, in their family and in the closet, are breathing forth their aspirations for her prosperity and her peace; and who, in the intercourse of the world, are exemplifying those graces of character which the gospel alone can produce. But it is not inconsistent with the conviction which I have expressed, to acknowledge that our church has defects which ought to be immediately remedied, and that she has enemies both numerous and virulent, with whom she may ere long have to maintain a contest for her independence and her stability. The irreligious are her enemies, and their desire is to overthrow all religious establishment whatever. Some good men are conscientiously opposed to the principle of an establishment; and it is to be lamented that among the assailants of our church we find not a few of whom other and better things might have been expected, whose predecessors withdrew from the establishment, lifting up their testimony against what they believed to be the corruptions of our church, but who never dreamed of sweeping away an established church from our land, - who, on the contrary, were as strongly convinced as we are, that the religious and moral improvement of a people is most directly and successfully to

be attained by providing for every parish a pastor who shall reside in it, and devote himself wholly and exclusively to the work of the ministry. Since, then, against all religious establishments a cry so loud is raised; since around our church her assailants are gathering; - it is imperative on her friends to 'walk about our Zion, and to mark well her bulwarks!' to strengthen every position where weakness is discovered, and to remove every defect and every abuse which would render her vulnerable, and expose her to peril. Thus shall we be prepared for the struggle that is perhaps awaiting us - thus shall our church, strong in the grace of Him who is its supreme and spiritual head, and strong in the purity of its doctrines, and strong in the faithfulness of its ministers, and strong in the affection of the people of Scotland, repel every assault, be victorious in every conflict, and be handed down, the glory of our country, to be the heritage of our children, and of our children's children.^{1.}"

The next speaker was the Reverend Alexander Cameron, of Eddertoun, whose speech was in much the same vein. He spoke of the importance of the call to the welfare of the church, its place in the law of the church, and of the "deplorable consequences (which) have arisen from the neglect of this law, as loudly to call for an immediate return to our original and constitutional practice."^{2.} He said, in the course of his address, "I cannot, however, shut my eyes to what is passing around me. There is a spirit stirring abroad, a spirit of inquiry into

1. Report of Debates, May 22, 1832, p 5, 6

2. ibid, p 6

the uses and abuses of things, which it would be vain as it would be undesirable in us to attempt to repress. There is a light sprung up, even a light of knowledge and information, which we ought not to contribute to extinguish, but which, as ministers of Him who is the light of the world, we should endeavour to draw over to the side of religion, rather than inlist against us. A tide has set in, which, if we seize the favourable opportunity, we may regulate and direct; but which, if we attempt to stem it, may sweep us away by its resistless and overwhelming pressure. If it be necessary for a church establishment in ordinary times to be based in the affections of its people, much more in such times as these. I cannot conceal from myself that the signs of the times indicate that a day of trial is at hand - a day of trial from God - a day of trial from men.

"It appears to me that the head of the church has a controversy with us; that he says to us as to the church of Ephesus, 'I have somewhat against thee, because thou hast left thy first love.' 'Remember therefore from whence thou art fallen, and repent and do the first works, or else I will come unto thee quickly, and remove thy candlestick out of his place, except thou repent;' and I believe that restoring to the people their constitutional voice in the settlement of their pastors would remove one great ground of the divine controversy.

"A trial from men awaits us. The axe is about to be laid at the root of every tree; and every tree, however venerable soever for its age or antiquity, shall be cut down, if it be

found not to answer the end for which it has been implanted. The clouds are gathering, a storm is approaching, and I would have you act the part of skilful mariners, who, foreseeing the danger approaching, make every possible preparation for it, by casting overboard any thing that would endanger their safety in the hour of peril. So I would have you to cast out this Jonah, on whose account the storm is sent forth; and as nothing has so much alienated the affections of the people from the church of Scotland as intruding on them ministers contrary to their will, so nothing will tend more effectually under God to restore the affections and confidence of the people, than renouncing the unconstitutional practice of which they so justly complain.¹

The Reverend Duncan MacFarlane, of Paisley Presbytery, next gave a review of the state of the law on calls, arguing that the act restoring patronage, did not rescind the call, and arguing that to restore the call to its place was no innovation, but simply to return to the true practice of the church. He, too, noticed the Voluntary Controversy, as he said, "It has been said that discussions of this kind will give greater influence to those who desire to see our establishment pulled down. It is a matter of regret, that so many, separated from our church, should, instead of calling for greater purity in her discipline and worship, take up the language of Edom, saying 'Rase it, rase it, even to the foundation thereof.' But it were unjust and unwise to allege that all are so

1. Debate on Calls, May 22, 1832, p7,8

minded. We rejoice to know not a few, who, while they protest against what they call our backsliding, desire to see our church's prosperity, and who are wistfully looking on, while attempts are made to restore to its purity that which may have fallen into decay; and we doubt not, that many who are at present separated from us, would rejoice to share in rebuilding the broken walls of Jerusalem. And at all events, our strength will be found in the full and faithful execution of the laws^{1.} of our church."

The Moderate opposition to this spirit, was that an innovation was requested in the church. That powers would be placed in the hands of the people which were not then there, and which should not be there. They further contended, that it would be destroying the rights of patrons, and contrary to the settled law of the land. Patronage, they insisted, was expedient, in that it had proved itself efficient in the settlement of ministers in parishes, and because it seemed to have been acceptable to the people. It was claimed that no great objection to patronage, and to the lack of popular call was held, simply because if there had been objection, more overtures would have been upon the table of the Assembly. This type of argument, and the strength of the Moderate party in^{2.} that Assembly, carried the day for that meeting of the Assembly.

On January 31, and February 1, 1833, a public meeting was held in Glasgow, at which the "Glasgow Association for

1. Debate on Calls, May 22, 1832, p 19,20

2. *ibid.*

promoting the interests of the Church of Scotland" was formed. The major motions of the society were: "II. That the Association shall consist of persons who profess their adherence to the doctrines of Holy Scriptures, as explained in the Standards of the Church of Scotland; and who, in particular, hold it to be a duty which our civil rulers owe to God, and to the nation, to provide for the instruction of the people in the true religion, as contained in the word of God. III. That from a conviction that the Church of Scotland, in her original Constitution and Polity, is in accordance with the word of God, and grateful for the blessings which through her have come upon the nation, - the general objects of this Association shall be 'To support her against all who attempt to undermine her existence and primitive Constitution; and, by all due and Constitutional means, to obtain the reformation of such abuses as, in the lapse of time, may have crept into her administration. IV. That, in particular, this Association shall aim at a thorough remedy of the grievous evil of Patronage. V. That this Association, convinced that the deficiency of Church Accommodation within the Establishment, has been highly prejudicial to its interests; and that owing to this, many who were the legitimate objects of its care have been left wholly unprovided, shall make every exertion to remedy this great practical evil. VI. That the Association shall endeavour to diffuse the knowledge of its principles, and to extend its influence, by publications and other means; and to open up, if possible, communications with such Churches as have seceded

from the Church of Scotland, but who still hold sacred the principle of a Religious Establishment.^{1.} The various motions were moved and seconded by: Rev. Mr. Burns, of Kilsyth, Rev. Matthew Murray, Rev. Dr. Muir, Rev. C.J. Browne, Rev. Dr. Patrick M'Farlan, Rev. J.G. Lorimer, Rev. Dr. Stewart of Erskine, Rev. James Gibson and Messrs Hugh Cogan, James Smith, Henry Paul, John Robertson, Andrew M'George. Mr. John Wright, Jr, was in the chair.

The Voluntary Controversy was foremost in the minds of these men, as they organized themselves for the interests of the Church of Scotland. Almost every speech had some reference in it to the Controversy, and of the necessity of taking positive action to meet the challenge of the Dissenting Churches. The opening speech, by ~~Mr.~~ John Wright, Esq, included among its reasons for the formation of the Association, the following statement:

"Another reason which renders it the duty of the members of the Church of Scotland to come forward in her defence, is, the unprovoked hostility that has of late been excited against her. We live in unusual times, when party politics are forced, by an ill-timed intrusion, even into things that are holy and consecrated, and have disturbed, and threaten to destroy, that Christian harmony which had begun to consolidate, in kindly influence, Churchmen and Dissenters. Had there been, on the part of the Establishment, a desire to crush the Secession, there would have been a reason for Dissenters standing in array against us. But no such disposition has been manifested; on the contrary, at no period since there was a Secession from the Establishment, has there been a greater amalgamation betwixt the two classes, than during the last twenty years. But this union has of late been most wantonly violated. And who are the aggressors? Is it the worthless, the sceptic, and the infidel? No; it is

1. Speeches at Public Meeting, etc, Jan. 31, Feb. 1, 1833

those who profess to be the ministers of that wisdom which is from above, and which is pure, gentle, and easy to be entreated. It is those whose forefathers were nourished in the bosom of the Church of Scotland, and whose offspring, forgetful that all which they enjoy of Christian liberty and enlightened theology, has, under the blessing of God, been transmitted to them through that Church, whose devoted members counted not their lives dear to them, and who have handed down to us an inheritance purchased at the expense of their blood. These opponents have embodied themselves under the firm, as we say in mercantile language of 'the Voluntary Church Association:' and a most anomalous combination it is; for in its ranks we see those who acknowledge the Confession of Faith, and those who deridingly have termed it a confusion of faith; we see the United Secession, the Relief, the Independent, and the Baptist of every gradation, all suddenly struck with a simultaneous electrifying influence, and as a combined body, (and combined only in this,) pressing forward for the demolition of our Church Establishment...."1.

In the rest of his speech, he goes on to call not simply for a defensive attitude, against the attacks which have come, but also an attitude of reformation. He acknowledges that some abuses have crept into the Church of Scotland -- though claiming it to be the most useful church on earth, of which he knows. He states the principal grievance of the church, which need reformation, as the continuation of patronage,^{2.} and the lack of sufficient church Accommodation.

The next speaker, moved the formation of the association, and said, in that speech, "...I will throw aside the forms of circumlocution usual in public speaking, and name at once the Voluntary Church Associations as the principal cause of the formation of this Association. We desire, however, to have it understood, that it is one of defence, and not of retaliation.

1. Speeches at Public Meeting, etc, Jan. 31, Feb. 1, 1833, p3

2. *ibid*, p 2-7

We entertain no hostile feeling towards our opponents, or the churches to which they belong - churches founded on principles diametrically the reverse of the Association, and which, it would be unjust to deny, have conferred inestimable blessings on the country - churches agreeing entirely in doctrine, and almost entirely in form, with our own....^{1.}"

This feeling of urgency was abroad in the church. In the meeting of the General Assembly, a large number of overtures were presented on the subject of patronage. In the meantime, the Evangelical party had taken counsel on the course which they were to follow in that meeting of the Assembly. Dr. Chalmers was included, and it was ultimately he who submitted the agreed motion of his party.^{2.}

Awareness of the Voluntary Controversy, is present in the opening speech on the overtures on Calls which had come up to this Assembly of 1833. The Rev. W.A. Thomson, of Perth, declared that 45 overtures were before the Assembly, on the subject of the call, and of patronage. He speaks of the conflict then in progress, and states that the passage of legislation removing the abuses in the church would do much to abate it. His words are: "Certain of their ministers have recently taken up a new position towards the Established Church, and avowed a determined resolution to attempt its overthrow. At the present moment they are in pursuance of that resolution, adopting and carrying into effect measures

1. Speeches at a Public Meeting, etc., Jan 31, Feb 1, 1833 p7,8

2. Watt, Hugh, "Thomas Chalmers and the Disruption" p 123

which I cannot reconcile with those professions of devotedness to the spirituality of their functions, to which they lay claim with no small measure of confidence. Sir, I cannot, knowing what I do know of their transactions - I cannot give them, at least a great body of them, credit for purity of principle, and purity of motive in what they are doing. They know well - for they are cunning in their generation, and foreseeing too - they know well the effect which such a measure, as what is projected by the authors of these overtures, will have on the Presbyterian population of Scotland - that it will endear to them their Mother Church - that it will bring back many of those who, upon principle, have become Seceders. They know that, and they know also the effect which must be produced on their pecuniary resources, which I believe in many quarters are already in a state of considerable decay. And nothing I am certain, therefore, in this day's transactions of the General Assembly, will disappoint them more than the adoption of a measure to prevent effectually the intrusion of ministers into parishes; and just because nothing which we can do will more effectually prevent that disaffection of the people which they do not fail to improve. It is by means of violent settlements that they can expect to increase their funds and their influence. Let us then adopt the measure which will effectually prevent all such settlements, and their plea with the people must lose its influence in all time coming.^{1.}"

1. Report of Debats, May 23, 1833, p 6,7

One additional quotation will help show the way in which the awareness of the Church question was present in the debate on calls in 1833. This occurs in the speech of the Rev. Dr. Hugh Laird, of the Presbytery of Kirkcaldy. He there says, as he speaks in favor of the motion on calls which had been offered by Dr. Chalmers, "It is also to be borne in mind that these are perilous times. By arbitrary measures of the Church a host of enemies have been raised up against her - and, if you remove not the abuses which your obsequiousness to Patronage has introduced, she must fall. The people have now been taught to muster their numerical strength. If you will not listen to reason, and sweep away those excrescences that afford them such a powerful handle, they will bear it down. It will be well if they would content themselves with lopping off useless branches and leave the tree in its vigour; but an exasperated multitude seldom distinguishes between the abuses and the thing with which they are connected. Of this, the revolution of a neighbouring country is a convincing proof. The church would not rectify itself, and, of course, it fell a victim to its own imprudence.

"Do not suppose that these views are derived from the agitated state of the country. They are the same which I have held every since I knew any thing of Church affairs. Though my political connexions have always been with those who are at present in the minority, yet I have uniformly entertained the same opinions of ecclesiastical policy, and conceive that the time is now come when you must either give efficiency to

the Call of the people, or see the Church rooted up; and it can hardly be denied that doing so, is leaving the right of Patronage as the law has placed it.^{1.}"

The motion of Dr. Chalmers' which was the next year to become the Veto Act, or the Act Anent Calls, was lost in the 1833 Assembly after a long debate, by 149 to 137 votes. This act read, "...the General Assembly, having maturely weighed and considered the various Overtures now before them, Do find and declare that it is, and has been every since the Reformation, a fixed principle in the law of this Church, that no minister shall be intruded into any pastoral charge contrary to the will of the congregation; and considering that doubts and mis-apprehensions have existed on this important subject, whereby the just and salutary operation of the said principle has been impeded, and in many cases defeated, the General Assembly farther declare it to be their opinion, that the dissent of a majority of the male heads of families resident within the parish, being members of the congregation, and in communion with the church, at least two years previous to the day of moderation, whether such dissent shall be expressed with or without the assignment of reasons, ought to be of conclusive effect in setting aside the Presentee (under the Patron's nomination), save and except where it is clearly established by the Patron, presentee, or any of the minority, that the said dissent is founded in corrupt and malicious combination, or not truly founded on any objection personal to the presentee,

1. Report of Debate, May 23, 1833, p 50, 51

in regard to his ministerial gifts or qualifications, either in general, or with reference to that particular parish; and in order that this declaration may be carried into full effect, that a committee shall be appointed to prepare the best measure for carrying it into effect, accordingly, and to report to the next General Assembly.^{1.}"

This Act was the result of the meeting of the evangelical party, to which we have previously referred. In that meeting, it was Dr. Chalmers' suggestion that the Church should not resort to direct legislation, but should rather use its judicial authority in reversing the trend of decisions over the previous sixty years. He believed that the Presbyteries should be advised to follow the principle of non-intrusion, and should then, by a succession of right decisions by the Assembly restore the lost practices of the Church. His suggestion, however, was not accepted because, says his biographer, Hanna, "Its adoption, it was conceived, would protract indefinitely a satisfactory settlement of the question, and leave the Church meanwhile exposed to all the dangers to which the Voluntary agitation on the one hand and the Anti-patronage agitation on the other were exposing her."^{2.} There was fear that the decisions as to what constituted a right call might vary. Some parishes might be exposed to protracted litigation. Then, even after precedent had been established, it might be felt to rest on precarious ground. The second suggestion of Dr. Chalmers^{3.}, that concurrence of the Govern-

1. Report of Debate, May 23, 1833, p 33

2. Hanna, "Memoirs of Dr. Chalmers," Vol iii, p 352

ment's sanction should be sought for the Assembly's act of legislation, was made after the decision to seek some act of legislation, controlling the proceedings of the lower courts, and establishing one uniform practice for the General Assembly. This suggestion was also rejected, and the overture which was presented to the Assembly was framed.^{1.}

In setting forth the Veto Act, there was no desire to abolish patronage. They rather desired to see patronage restrained and limited so that the consciences of Christian congregations might not be offended. They conceived that legally two possibilities were before them. They could either insist that a majority, or a specified number, of the congregation sign the call. Or they could afford a possibility of dissent, insisting that for it to be valid the majority of the congregation must join in it. This second path was the one chosen, and it was chosen with the advice of Lord Moncreiff, an eminent lawyer, and a friend of the Church of Scotland. Some members, who desired the total abolition of patronage, were brought to the support of the bill only with difficulty.^{2.}

In the year that followed, the demands for reform grew stronger, and the support for the Veto law grew also. A majority of the overtures to the Assembly on the subject of patronage and calls, incorporated the substance of the evangelical motion of the year before in one form or another. Many of its adherents felt that it would solve the difficulties attached to patronage, without giving free reign to universal suffrage.

1. Hanna, "Memoirs of Dr. Chalmers," pps 351-353 vol iii

2. *ibid*, vol iii, p 353, 354

The motion as it was finally moved in Assembly by Lord Moncrieff read, "That the General Assembly, having maturely considered the overtures, do declare that it is a fundamental law of this Church that no pastor shall be intruded on any congregation contrary to the will of the people; and that, in order to carry this principle into full effect, the Presbyteries of the Church shall be instructed, that if at the moderating in a call to a vacant pastoral charge, the major part of the male heads of families, members of the vacant congregation, and in full communion with the Church, shall disapprove of the person in whose favour the call is proposed to be moderated in, such disapproval shall be deemed sufficient ground for the Presbytery rejecting such person, and that he shall be rejected accordingly, and due notice thereof forthwith given to all concerned; but that, if the major part of the said heads of families shall not disapprove of such person to be their pastor, the Presbytery shall proceed with the settlement according to the rules of the Church; and further declare that no person shall be held to be entitled to disapprove, as aforesaid, who shall refuse, if required solemnly, to declare in presence of the Presbytery, that he is actuated by no factious or malicious motive, but solely by a conscientious regard to the spiritual interests of himself or the congregation; and resolve, that a Committee be appointed to report to a future diet of the Assembly in what manner, and by what particular measures, this declaration and instruction may be best carried into full operation."¹

1. Watt, Hugh, "Chalmers and the Disruption", p 130, 131

This motion, after considerable debate, was carried by a vote of 184 to 138, and the Veto Act became a law of the Church. Two weeks later, the Committee of Assembly, appointed for the purpose, submitted a report consisting of twenty-three regulations for directing the procedure of Presbytery. Against the argument of the Moderates, who held that the action must be sent down to the Presbyteries for final action, the Evangelicals insisted that the Act involved no constitutional change. As a compromise, however, it was made an interim act, and sent down to the Presbyteries under the requirements of the Barrier Act.^{1.}

Along with the Veto Act, and its attempt to remove the stigma attached to patronage, the Church of Scotland also moved to correct other abuses. One of these had to do with those ministers who served in churches other than Parish churches. There were two groups of these, the ministers of Parliamentary Churches, and the ministers of Chapels-at-Ease. Neither had had, for long years, the right of participating in church courts. Though they might have been educated in the same institutions, licensed by the same Presbytery, called to a congregation, of considerable numbers, and regularly ordained, they were not granted the full privileges of the ministry. The inferior status of such a minister was shown not only by the fact that he was excluded from the church courts, but also by the fact that his church often possessed no kirk session of its own. Indeed, while the ministers of Parliamentary Churches did have

1. Watt, Hugh, "Thomas Chalmers and the Disruption," pps129-134

sessions with which to work, Chapel-of-Ease ministers had none.

The Parliamentary churches were the result of a season of generosity by Parliament. At that time, they granted the funds for the building of forty churches in the Highlands of Scotland. These churches went to areas which were sparsely inhabited, and which otherwise would have been destitute of religious instructions. Along with the construction funds, they were granted a small yearly endowment, for the stipend of the minister.

In the Assembly of 1833, Dr. Cook, leader of the Moderate party, moved that the ministers of the Parliamentary churches be granted the right of becoming members of the church courts. With one dissent, this was done by a declaratory act of the Assembly, which declared that the districts served by the Parliamentary Churches were disjoined from the parishes of which they formed a part, and erected into quoad sacra parishes. It also declared that their ministers were qualified to represent their Presbyteries in the General Assembly, and to be constituent members of both Presbytery and Synod.

In the Assembly of 1834, the chapel-of-ease ministers pleaded for the same sort of recognition as had been afforded to the ministers of the Parliamentary Churches. These Chapels-of-Ease were chapels which were erected, largely in the industrial areas, to supply the deficiency of religious instruction within the bounds of various parishes. Usually, they were erected by some man, or men, of wealth, and were without en-

dowment. Their ministers had no session, as we have seen, and no seats in the church courts. Their⁵ was a very anomolous situation, and one which was the source of taunting on the part of their Dissenting brother ministers. It was against the initial opposition of Dr. Chalmers, who thought that it might interfere with a later application for endowment, that the pleas of the Rev. Andrew Gray, of Woodside Chapel, Aberdeen, and the Rev. C.J. Brown, Anderston Chapel, Glasgow, were finally granted. The vote to end their exclusion, and to consider them full members of the church courts, and to establish quoad sacra parishes, and to set up kirk sessions for them, was 153 to 103.

The chapel-of-ease predicament had been created largely because of the law on the establishment of new parishes. Until the Union of Scotland and England, and the removal of the legislature to London, the creation of new parishes had been comparatively simple. The arrangement had then been that the legislature was responsible for the creation of new parishes. With its removal, this passed to the Court of Session, and the act authorizing it specified that a new parish could only be erected with the consent of those owning three-fourths of the heritable property in the parish. This latter clause effectively stopped growth in industrial areas, where the heritors lived in dread of a raid on the unexhausted teinds which they held. Thus only sixty chapels-of-ease were erected in the hundred and twenty six years of the operation of the act, as against some five hundred churches built by the Dissenters.

At the same time, the 1834 Assembly moved to do yet more about the expansion of the Church. In the committee on Church extension, the convener was retiring. To that post, Dr.

1.
Chalmers was elected. He came to it with the conception of the necessity of a territorial organization, and a conviction that in the expansion of the church lay its best hope against those who would destroy it. Thus an assembly moved by an awareness of the Voluntary Controversy, acted to rectify abuses, and took a step which was to strengthen the Church of Scotland, and to intensify the controversy.

Chapter V

Church Accommodation and Endowment

The Chapel Act of the 1834 Assembly, and the revival of the Church Accommodation committee, with Dr. Chalmers as convener, became the source of bitter controversy. After years of inactivity in Church Extension, the Church of Scotland began to move to supply what it believed to be necessary Church Accommodation for the population of Scotland. In order to supply the necessary churches, it relied on a plan of voluntary contributions for the building of the churches, and set out to obtain a grant from the Government to supply the endowment of the new churches. This effort was bitterly opposed by the Voluntary Churches, who regarded it as an attack on their very existence, and as an attempt to overwhelm, by the use of public money, their arguments for disestablishment of the Church of Scotland.

The method of increasing church accommodation came from
1.
Mr. William Collins of Glasgow, friend and publisher of Dr.
2.
Chalmers, and member of the board of the Glasgow Society for
3.
Promoting the Interests of the Church of Scotland. Early in
1834, Mr. Collins issued a proposal to build twenty new parochial churches in the city and suburbs of Glasgow. Some years previously, Dr. Chalmers had made the same suggestion, but it had been then smiled at as visionary. Since then, his students had gone out to positions of leadership in the Church of Scot-
4.
land, and his idea had been assimilated by the ministers and

1. Watt, Hugh, "Thomas Chalmers and the Disruption" pl43
2. Hanna, "Memoirs of Dr. Chalmers," Vol III, p447
3. Speeches Delivered at Meeting in St. George's Church etc
4. Taylor, J.W. "Memoir of D. Maitland Makgill Crichton" p87

and laymen of Glasgow who had met in 1833 "to promote the interests of the Church of Scotland." The Act of Assembly of 1834, admitted all Chapel ministers to the full status of parochial clergy, and opened the same door of full status to the ministers of any new churches which should be built. A bill sponsored by Mr. Colquhoun (a member and vice-president of the Glasgow Church Building Society), passed Parliament in 1834, and relieved all newly created parishes from the claim to the patronage which had been vested previously in the patron of the original parish. With the ground thus cleared for creating fully recognized and authorized churches, the Church Building Society of Glasgow was organized, and set out to raise the sum of 20,000 pounds as a starting amount. This was raised before the month of October^{1.} The activities of this group were carried on, till, in 1841, the twentieth church was completed.

The Assembly of 1834 revived the Church Accommodation Committee, which had first been appointed in 1828. That committee had endeavored to attain its object by repeated requests and applications to the Government, and had announced in their reports year after year that nothing had been done. In 1834, this committee was furnished with new powers, and given new instructions. Dr. Chalmers was appointed the convener of the committee, and promptly wrote its large number of members, "You are aware, gentlemen, that our Committee have been in existence since 1828, and that its efforts hitherto have been directed to the object of obtaining the aid of our Government in support of its great design, which is to provide a more

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, p 447-449

a more adequate church accommodation for the people, who have vastly outgrown the means of Christian instruction that already exist within the Establishment. These efforts have as yet been wholly unsuccessful; and though we do not abandon all hopes of assistance, even from that quarter, yet, in terms of the excellent Report given a few days ago to the Assembly, and by them unanimously approved of, it is our opinion that no further delay should be incurred, but that we should throw ourselves and our cause, with all its recommendations, instantly on the liberality of the Christian public, and more especially on the friends of the Establishment throughout Scotland. I confess that I am sanguine of the result, and shall feel it a sacred duty to do my uttermost for speeding and prospering it forward. The General Assembly has placed us in a most advantageous position, having conferred on us powers co-ordinate with those exercised by the Committee for Propagating the Gospel in Foreign Parts and for Education at Home; and having further enjoined all the ministers of the Church to take measures for collecting at the church doors, and furthering subscriptions, in order to carry the wishes of the Assembly into effect. In appointing me convener of the Assembly's Committee for such a high object of Christian patriotism, I can truly affirm, that had I been left to make a choice among the countless diversities of well-doing, this is the one office that I should have selected as most congenial to my taste, and the most fitted, by the high sense which I have of its importance, for commanding the devotion of all my powers to it....

"I have only to add, gentlemen, that I trust the Committee will not relax in its exertions, and not relinquish them, even though it should require the perseverance of a whole generation, till we have made it a sufficiently thick-set Establishment, and brought it into a state of full equipment -- till churches have been so multiplied, and parochial charges so subdivided, that there will not one poor family be found in our land who might not, if they will, have entry and accommodation in a place of worship and religious instruction, with such a share in the personal attentions of the clergyman as to claim him for an acquaintance and a friend.^{1.}"

The committee began to act at once. On the 6th of June, Dr. Chalmers submitted a draft of a circular for distribution to the ministers of the church, and which, modified, would also circulate among the laity. It was approved, and before the first month of the committee was past, the summons had gone out to the Church to call it to a tremendous exertion in enlarging its bounds. With the circular, Dr. Chalmers sent innumerable private letters, addressed to influential laymen^{2.} and clergy.

In July, a deputation went to London to procure an endowment for each of the chapels-of-ease which had been recently added to the roll of the churches of the Establishment, and for any new churches which might be built. Dr. Chalmers insisted in a letter to one of the members of the delegation, that the purpose of the grant must be a cheap Christian education for the common people, by making lower seat-rents available for

1. Hanna, Memoirs of Dr. Chalmers, Vol III, p 451,452
2. ibid, vol III, p455

plebeian families, and giving preference to residents of each particular parish in the letting of seats.^{1.} The deputation presented a memorial to Lord Melbourne, and he shortly afterwards stated in the House of Lords that "...he hoped that the representation made...would be seriously attended to."^{2.} The session of Parliament, however, was too far advanced, and the question was adjourned. In November, the government of Lord Melbourne gave place to that of Sir Robert Peel, which, through the Lord Advocate Sir William Rae, at once announced its friendly intentions to Dr. Chalmers. At the opening of the new Parliament in February 1835, the King's speech carried a paragraph favorable to endowments to the Church of Scotland.^{3.}

In preparation for the request of endowment from Parliament a circular letter, subscribed by the Moderator of the General Assembly (Dr. Patrick MacFarlane), was sent to the different parishes. This circular set forth the hopes of the committee on Church Accommodation, and urged the necessity of petitions from the various parishes, urging the need of the parishes and people for additional accommodation upon Parliament. No fewer than five forms of petition accompanied the letter, so that each parish might adopt the one most suited to its own circumstances.^{4.}

In connection with the circular, a table of statistics was included, which became a focal point of the Voluntary Controversy. In drawing up the table, only the number of seats available in the Established churches had been shown, in relation

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, p458,459

2. *ibid*, Vol III, P 461

3. *ibid*, Vol III, p 462-463

4. M'Kerrow's "Secession Church", p 744

to the total population of the locality. No attempt was made to show the total amount of church accommodation, including that in Dissenting Churches.^{1.}

There is little doubt, I believe, that Dr. Chalmers here made a mistake which added fuel to the fires of the Voluntary Controversy. He was concerned with the immediate extension of the church, partly because he saw in it the possibility of exhibiting in full force the value of an established church. In the first meeting of the sub-committee on Church Accommodation, June 6, 1834, he had said, "This is an age of hostility to endowments by the State, and our great dependence, under Heaven, for the fuller equipment of our Church, is on the endowments of Christian charity. The spoliators of our Establishment are on the wing, and their unhallowed hands are already lifted up to mutilate and to destroy. But if supported as we ought, the benefactors of our Establishment will greatly outnumber and overmatch them. In that mighty host of aliens from the lessons and ordinances of the Gospel, who are still unreached and unreclaimed, we behold full demonstration of the impotency of what is commonly termed the Voluntary system. It is now for the Church to bestir herself, and put forth her own peculiar energies and resources in the work of calling in these helpless outcasts; and in proportion to our success shall we earn for the cause of religious establishments the friendship of the wise and the good, the support of every honest and enlightened patriot.

"In advocating this cause we need be at no loss for the materials of a most pathetic appeal to the sympathies of the

1. M'Kerrow's "Secession Church", p p 745

truly religious. For we can tell them of the spiritual destitution of many thousands of the families of Scotland: we can tell of their week-day profligacy and Sabbath profanation. Even to the mere politician and worldly philanthropist we can address the argument that a depraved commonality is the teeming source of all moral and political disorder, and the fearful presage, if not speedily averted by an efficient system of Christian instruction, of a sweeping anarchy and great national overthrow. But it is when pleading for the claims and the interests of so many imperishable spirits that we are on our best, our firmest vantage-ground; and when assailing the consciences of the pious and the good, by the affecting representation of a multitude in our own land, whom no man has yet numbered, who are strangers even to the message of the New Testament - of that still greater multitude who, with an eternity wholly unprovided for, live in irreligion and die in apathy or despair.^{1.}"

In connection with the first circulars which were sent out by the committee, announcing their scheme of extension, Dr. Chalmers wrote a number of letters, among which is this one to the Duke of Buccleuch, setting forth his conviction of the urgent need of an enlarged establishment, and of its responsibility in relation to the work of the Dissenting Churches. He wrote, "My Lord Duke, - I should not have ventured to obtrude the accompanying representation on the notice of your Grace, had it not been for my urgent sense of the importance of its object.

"The Church of Scotland has now resolved to make a vigorous effort for the extension of herself, so as, if possible, to overtake the religious wants of our vastly increased population.

1. Hanna, "Memoirs of Dr. Chalmers", Vol III p 452,453

"It is but a very small fraction of the unprovided surplus that has been met by the dissenters, not from the want of zeal in their ministers, and not in general from any substantial difference or defect in their Theology; but from their want of a parochial system, and the heavy expense to which the families of the working-class are exposed, when out of their own means they have both to erect a place for worship and to maintain a clergyman.

"The object of the Assembly's Church Accommodation Scheme is to subdivide the overpeopled parishes, and erect within each of the new localities which shall thus be formed, an economical church, whose sittings may be held forth at such a low rent as might admit of a general attendance from those of the humblest classes of society, and thus afford a cheap Christian education to that immense number of our people who are now living in a state of exile from all the decencies and observances of a Christian land.

"Our main confidence for a prosperous result is, under the blessing of Heaven, in the conscientious and devoted assiduities of those who may be appointed to the charge of the newly formed parishes, each maintaining a moral guardianship over the families of his own territory, and plying them with such attention both of common and Christian kindness, as all experience attests to be the most effectual for humanizing a now outlandish, because now and of necessity a sadly neglected population.

"Let me state as an additional ground of encouragement, that never, perhaps, in the history of our Church was there a

greater promise of success from the number of talented and well-disposed licentiates, alive to the great moral necessities of our land, and resolved to enter with the full consecration of their powers and opportunities on that high walk of philanthropy, whose object is to reclaim those degenerate outcasts who have so multiplied in thousands and tens of thousands beyond the means of Christian instruction, means which have remained stationary during two centuries of rapid progression both in wealth and numbers, or which rather have been abridged on the whole during that period by the annexation and suppression of parishes.

"It may be proper to state, that by a recent Act of Parliament the heritors of Scotland are fully protected from any legal obligations that might otherwise have been consequent on the erection of new parish churches; and that this precious interest has altogether devolved on the liberality of the patriotic and good in all classes of Society.

"I feel the more emboldened to address your Grace upon this subject, from the conviction that a generous sacrifice on the part of the affluent, not for the temporal necessities, but for the moral culture and moral wellbeing of the poor, beside yielding a substantial repayment in the arrest that would thus be laid both on pauperism and crime, would serve more effectually than any other expedient, in these days of distemper and menace, to re-unite the various orders of the State into a harmonious and pacific understanding with each other.

"Among all the schemes which are now afloat for the amelioration of society, it should never be forgotten that there is no

specific so powerful against all moral and political disorders as the Christian instruction of the people, and that a well-principled commonalty is the soundest foundation on which to rear the strength and prosperity of the kingdom..."¹

With the publication of the Church Accommodation statistics, the Dissenters, who had had an uneasy suspicion that the activity of the Church of Scotland was directed at them, became convinced that nothing less than their extermination was aimed at..² They saw the lack of recognition of their work in the statistics presented to Parliament. They interpreted the words of Dr. Chalmers, "A sufficiently thick-set establishment" to mean that a parish church would be placed in competition with dissenting churches, no matter how sparse the population of the district.³ Believing that their very life as churches was threatened, they re-acted with vigor.

"The Scottish Central Board" had been formed, as we have seen, in Edinburgh, on 17th of December 1834, "for extending the principle of voluntary churches, and vindicating the rights of dissenters." When this board saw the statistics of the Church Accommodation Committee, and knew of their proposed request to Parliament, they immediately began counter-action. From those areas in which a deficiency of church accommodation was alleged to exist, new statistics were gathered, and new tables were published, including the Dissenting Churches in their reckoning. These statistics claimed to show that there was no want of accommodation, and that in some districts there

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, Pps 453, 4, 5

2. 1st Report of "Scottish Central Board ect"

3. *ibid*

4. M'Kerrow's "Secession Church", p 745

was an actual surplus. These statistics were circulated widely, and were sent to the various members of the new Parliament.

These two sets of statistics proceeded on different principles. Dr. Chalmers was striving to establish - or re-establish - the parish system for the whole of the population. He was not content with the presence of a church, though it be but partly filled, in a town, if there was another large area of population adjacent, which had no church in their midst. His figures on Church Accommodation were designed to emphasize this need, and to insist that the way to reach the unreached masses, was to plant a church and a working minister in their midst. The Voluntary statistics proceeded from the basis of the whole of the population, and from the whole of the church accommodation available. They were able to show that quite frequently the number of vacant seats in Established and Dissenting Churches combined was more than enough to care for the legally specified quota for the population. Driven by the conviction that the Establishment was wrong, and that it was seeking to destroy them, they insisted vehemently on the validity of their own statistics.^{1.}

In April, 1835, a resolution was passed by the United Associate Synod, at their regular meeting, protesting to Parliament against any endowments to the national church. It was further resolved to present a memorial to the ministers of the Government, and to send a deputation to London to present the memorial, and to watch over its progress. The Reverend David Young, of Perth, and James Harper, of Leith, and Mr. William Ellis, an

1. Hanna, "Memoirs of Dr. Chalmers", Vol III p 465

elder, were appointed as the deputation to Lord Melbourne's Government, as Sir Robert Peel had been defeated on the Irish Church question, and had been forced to resign shortly after^{1.} coming into office.

The deputation went to London, and secured an interview with the Premier, and with the leading members of the Government. They also saw members connected with both sides of the House of Commons, and presented to them their views on the whole of the Voluntary Controversy. Having to leave London before action had been taken, they drew up a letter, which they distributed as widely as possible among members of Parliament, in which they set forth the convictions of the United Secession, and of the Voluntaries in relation to Church Accommodation and Endowment.^{2.} Entitled, "Case for the dissenters of Scotland, respectfully submitted by the deputation from the United Associate Synod appointed to communicate with his Majesty's ministers, etc.," it says,

"So far as circumstances would permit, we have waited on members, and have found them in general favourable to our views; but as we cannot remain in town to complete this service, we avail ourselves of this mode of communication, in the hope that it may draw attention to the merits of our case. The synod which we represent, as is stated in our memorial, consists of three hundred and fifty congregations. The grounds on which we oppose the claim in question, and on which we confidently hope that parliament will sustain our opposition to it, are the following, namely:

1. M'Kerrow's Secession Church, p 746
2. *ibid*

"That although the measure to which we object is often represented as compassionately intended to provide for the poor, yet, as petitions for it show, it is in fact intended for the endowment of churches and chapels already existing, or to be erected for the rich and poor alike; that to represent such a measure as needed for the poor of Scotland, is egregiously to mislead the legislature, for the instances in which they are excluded from places of worship, by want of room, or by inability to pay for sittings, are so rare, that to make them a matter of Parliamentary consideration, is absolutely ridiculous; that what is claimed for the Church of Scotland is not a right, secured by existing statute, but a favour, for which the law, as it stands, makes no provision; that since, by the Act of Toleration for England, and by securities for Scotland, equally valid, the right of dissenters to avow and propagate their religious belief, is not only recognised, but established, and incorporated with the laws of the country, the legislature is bound to protect dissenters from injury or aggression; that the proposed measure is glaringly unjust, and deeply injurious, inasmuch as it would convey a new favour on one religious party, which is rich and endowed already, at the expense of another which is poor, unendowed, and contentedly supporting its own religious institutions; that this injustice is aggravated by the consideration, that dissenters in Scotland are not the few whose interest in a measure for the many it might be immaterial or impossible to consult, but in fact a numerous body, consisting of about 800 congregations, while the congregations of the Established Church do not greatly exceed 1,000; that although there were no injustice

in the principle of the measure, yet the account given, by its promoters, of the present state of church accommodation in Scotland, is (as has been proven by the 'Statement' of the Dissenters' Board in Edinburgh, copies of which have been sent to Members of Parliament) so grossly erroneous, that no legislative measure can in fairness be founded on it; that the measure involves a principle which, if extended to England and Ireland (and why sanction it at all, if it is not to be so extended?) would bring on the country an intolerable burden, to the injury of its peace and religious well-being; that the smallness of the sum which the Church of Scotland may submit to ask at present, is no mitigation of the measure, for although the sum may be small, the principle is great, and if the sum be small, so much the more shameful it is to force any portion of it, by legal compulsion, out of the pockets of dissenters, who not only support their own institutions, without asking any thing from the state but are active in diffusing the gospel at home and abroad; that although dissenters in Scotland are united in opposing the measure, they are not alone in doing so, for many enlightened and respectable church-men have seen it their duty to oppose it along with them; that to grant the boon required, instead of doing good, would do much evil, by putting an arrest upon their benevolent exertions, by which alone, as we believe, the spiritual wants of Scotland can be suitably supplied; that we have no dislike to the Established Church in Scotland, viewed simply as a Christian community, and would rejoice to see her the instrument of reclaiming all that is unreclaimed; but we appeal to all that is reason and decency,

whether compelling us to give of our substance, and thereby to cripple the resources of our own religious beneficence, for the extension of a church to which we do not belong, can promote the prosperity of that church; we believe that it never can, and therefore we ask the Church of Scotland, as she values her own prosperity, and is willing to do as she would be done by, to abstain from a deed of such flagrant injustice.

"Such are some of the grounds on which we rest a strong conviction, that the legislature will not grant the money prayed for, and ought not to do so. We ask no favour; the sum of our prayer is, let us alone, or give us that protection, as British dissenters, which common justice so obviously assigns to us."^{1.}

In addition to the memorial, the dissenters had been as active as the parishes of the Church of Scotland in seeking signatures for their petition against endowment. In a few weeks, they claimed to have secured some 79,000 signatures. By contrast, only 382 of the 554 parishes of the Established Church submitted petitions for endowment.^{2.} The Lord Advocate had been among those who had been visited by the deputation, and his impressions of their visit can be seen in the speech which he made before the House of Commons, in opposing the motion of Sir William Rae moving that endowments be given to the Church of Scotland. Selections of that speech will reveal that he was at least temporarily under the influence of voluntary thinking and protest.

1. M'Kerrow's Secession Church, p 747,748

2. Report of the Proceedings of the House of Commons on the Petition for Endowment to the Church of Scotland

In that speech, the Lord Advocate denied that he was questioning the respectability of the petition which had been presented to the House of Commons in favor of the grant to the Church of Scotland. He expressed surprise that in spite of the great eloquence which had been urged in its favor by some of the most able and distinguished members of the Church, there were not petitions from every parish in Scotland. In fact, there were only three hundred eighty-two petitions instead of five hundred fifty-four. Yet, he said, he was far from denying the respectability of these petitions. Indeed, if there had been no petitions on the other side, if it could be shewn that all of Scotland was unanimous in favor of the grant to the Church of Scotland, their petition would rest on much stronger ground. However, there were seventy-nine thousand persons who had signed a petition opposing the grant. These people were of the same religious belief as the Church of Scotland. They had, in the most part, the same creed. Their dissent was on points of church-government. These people asked the House not to grant the endowment which had been solicited from them. Their grounds were that it would be at once unjust to them, injurious to their feelings, a burden to the people generally, and would, indeed, have an adverse effect on the Church of Scotland itself. With this division in Scotland itself, he contended that it would be impossible for a Committee of the House to decide the real facts, and to determine whether or not there was a want of Church Accommodation.

Two other points were mentioned as demanding the appoint-

ment of a Commission for investigation, rather than a Committee which could merely take evidence in London. One of those was the law of Scotland by which the heritors were bound to keep the parish churches in repair. That law had effectively reduced the building of new churches, as it prohibited it as long as the church building, however small and inadequate for the population, was kept in repair. A second point was the difference of opinion as to the adequacy of Church Accommodation. The Churchmen claimed it to be necessary and urgent that a grant be given to them. But must not the Dissenters' position be considered? Was it right, after their exertions in building their own Churches, to take money from them for the building or endowment of the State Church? Surely that demanded investigation, said the Lord Advocate, and he moved that a Commission be appointed to investigate these and related matters. This, in fact, was an amendment to the motion that a Committee be appointed.^{1.}

The result of this amendment to Sir William Rae's motion was that a lively debate followed, and was then adjourned. On July 1st, a resolution was proposed by Lord John Russell, and unanimously adopted, that a Royal Commission be appointed "to inquire into the opportunities of religious worship, and means of religious instruction, and pastoral superintendence afforded to the people of Scotland, and how far these avail for the moral

1. Report of the Proceedings of the House of Commons on the Petition for Endowment to the Church of Scotland

and religious improvement of the poor and working classes; and with this view, to obtain information respecting their stated attendance at places of worship, and their actual connexion with any religious denomination; to inquire what funds are now, or may hereafter be made available for the purpose of the Established Church of Scotland, and to report, from time to time, in order that such remedies may be applied to any existing evils...."^{1.}

The appointment of the Royal Commission satisfied neither the advocates of Church extension in the Establishment, nor the Dissenters who had protested against the endowment grant. Both objected that the commission was wrong on principle, though the principles to which they appealed were opposed to each other. They also objected to the personnel of the commission, but again on opposite grounds.^{2.}

Dr. Cook, the leader of the Moderate party in the Establishment, stated his objection to the action of the government in forming a Commission in these words, "If they are to act on the principle contended for by their enemies, it would just come to that, that it was a matter of no moment whether there was an Establishment at all. If the government was told that there was enough of religious accommodation, it was no matter what kind, it would give the enemies of the church an opportunity to alienate the affections of the people from her; and, if it came to this, it would soon follow as an argument, that there was no need for Establishment at all."^{3.} He thus saw the issue as one of prin-

1. M'Kerrow's Secession Church, p 749

2. *ibid*

3. *ibid*

ciple for the existence of the Establishment.

In a letter to Lord Melbourne, dated August 28th, 1835, Dr. Chalmers expressed his feeling against the Commission, and stated his objections both practical and on principle. After commenting on the charges which had been brought in his Lordship's speech, and insisting that the purpose of additional endowments was for the furtherance of the gospel, and its benefits are not the result of the "extravagance of our respective^{1.} opinions," he says,

"I shall state, then, what I know has given the utmost dissatisfaction; first, in the appointment of the Commission, and secondly, in the terms of it....

"It is not necessary to impeach the moral character and honesty of these Commissioners, (as far as is known to me unimpeachable,) in order to establish the unfairness of their appointment. Your Lordship must be too well aware of the perverting and blinding influence of partisanship, particularly after it has been openly avowed, and men by their own acts stand publicly committed to it, not to perceive that the presence, and above all, the active and influential operation of these men in the recently appointed Commission, are fitted to have an injurious effect on the interests of the Church of Scotland. And let me add, for the sake of placing the matter in all of its fulness before you, that they are not only men of no adequate stake in the country, but men of little or no personal or professional eminence, and therefore not fitted to give that weight and dignity to the Commission wherewithal such an apparatus of a great

1. Hanna, Memoirs of Dr. Chalmers, Vol III, p 472

national object ought to have been invested....On the whole I will venture to affirm, that never in the whole public history of this country was there a national commission heard of for the prosecution of a grave and great national object made up of such unfit and such unseemly materials as Government on the present occasion have thought proper to introduce into this Commission of Inquiry as to the means of the People's Christian education; and never has any cause of high patriotism been so demeaned and so despoiled of its due reverence, as this highest and holiest of causes by these incongruous ministrations...

"....It is vain to tell us of the respectability of our Honorary Commissioners, or indeed of all the Commissioners put together, for - as if to remove every check or barrier against the mischief which might be done by any number of Commissioners, however small, who might be disaffected to our cause - by a clause in the Commission, any one of them is empowered to call for the production of all manner of evidence, (which may be as much or as little as he likes,) in other words, any one of them may direct this inquiry; and any three of them may report on the results of it. At this rate, it is in the power of three active enemies to expatiate over the whole country, and to examine and to report on as many places in Scotland as they can possibly overtake; and it needs but a careless and superficial style of inquiry to pass any number of parishes through their hands. Against their representations, so long as this clause is suffered to remain, the efforts even of a well-affected majority, though we had such a majority, would be of no avail....

"But there is another obnoxious feature in the Commission, which leads me still more to regret, that in the framing of that document there was so rigid and resolute an exclusion of all persons intimately acquainted with the genius or constitution of the Church of Scotland. Those who drew it up were either ignorant of the fundamental principle of our Presbyterian Establishment, or meant to offer it a violence. In the hands of friendly and intelligent commissioners we should not fear any transgression being made on the line of demarcation between the civil and the ecclesiastical; but the case is widely different with those hostile administrators who have been actually set over us, and who, in virtue of the loose and unguarded terms in which the Commission has been framed, might offer the most painful annoyance to what we cherish and esteem as amongst the most sacred of our principles. We do not acknowledge the king to be the head of the Church; and this independence of the ecclesiastical upon the civil was conceded to us at the Revolution, after we had sustained many and grievous persecutions in defence of it, and since guaranteed at the period of union between the two kingdoms. We do not admit the subordination of the Church to the State in things which are strictly and properly ecclesiastical; or that we are responsible to any tribunal on earth for the discharge and exercise of our spiritual functions. The first attempt which the Commissioners of the Crown shall make (I speak as a true son of Presbytery) on this the dearest and most hallowed of our principles, will not only be the signal for calling together the ministers of the Church, but, in spite of the miserable calculations of your Lordship's advisers, it will be

found of the great mass and majority of the population still attached to the tabernacles of their fathers, that many are the thousands among them who as one man will resent any outrage on those great truths and principles which the martyred founders of our Church have bequeathed to us. A commission could have been drawn up in which the duties to be fulfilled might have been so defined and guarded as to have provided for all the needful and legitimate objects of inquiry, and at the same time saved the hazard of all interference between the civil and the ecclesiastical authorities; instead of which there is every reason to apprehend that this faulty Commission will be followed up by as faulty an execution of it; and I therefore regret the more when a task of some delicacy had to be fulfilled, that the framing of a document of so much importance should have been committed to the rude and unpractised hands which have been employed to prepare it.^{1.}"

At the ordinary meeting of the Commission of Assembly, in August, 1835, a motion of Dr. Patrick MacFarlane was passed, condemning the Royal Commission and its constitution. It was hoped that this motion would influence Lord Melbourne to make some change in the personnel of the Commission. When, however, it was announced that there would be no change, a special meeting of the Commission of Assembly was held in Edinburgh on September 30, 1835. The Dean of Faculty, John Hope, had previously addressed a letter to Dr. Chalmers, dated August 18th, in which he recommended the active opposition of the presbyteries to the Royal Commission, and a petition to the House of Lords to

1. Hanna, Memoirs of Dr. Chalmers, Vol III, pps 474-479

protect the Church from its workings. Dr. Chalmers, however, opposed this action, and after making a protest, the Commission recommended the cooperation of its ministers and members. This motion, which was Dr. Cook's, was; "The Commission having maturely deliberated upon the instructions to the Royal Commissioners for inquiring into the means of religious instruction and pastoral superintendence afforded to the people of Scotland, express their deep regret that His Majesty's ministers have not been pleased, in consequence of the judgement of the last meeting of the commission of the General Assembly, to make any change in the composition of the said Royal Commission; and whereas the the commission from its authorizing the commissioners to inquire generally into the opportunities of religious worship, the means of religious instruction, and the pastoral superintendence afforded to the people of Scotland, may be, and has been, interpreted as at variance with the principles and polity of the Established Church, and as calculated to weaken or overthrow it, particularly in so far as it seems to involve in it a principle subversive of this, and all other ecclesiastical establishments, viz; that whenever religious instruction and pastoral superintendence are found, to a certain extent, afforded by any sect of denomination whatsoever, that the services of a national church are not required, and may be dispensed with. The commission of the General Assembly publicly and solemnly protest against whatever has such a tendency, and declare that they consider it to be the sacred duty of the legislature to support and to protect the national church, and to secure accommodation and religious instruction to the people of Scotland, so that they

may attend regularly upon divine ordinances, and may profit by the pastoral exertions and superintendence of its ministers. With a view to these most important objects, and under the protestation herein contained, they approve of such members of the church, as may be required to do so by the commissioners nominated by His Majesty, furnishing accurate information as to all statistical matters; and also approve of all church courts allowing inspection of, or giving extracts from, their records, of all entries relating to the same matters; it being clearly understood that the commission of the Assembly hold, that it is not competent to the commissioners to put to individual members any questions relating to the doctrine, worship, government, or discipline of the church.^{1.}"

The reaction of the United Secession Synod was somewhat different. They found reason for joy in the fact that the endowments had not been granted, and that their protests had had some effect. They contended, however, that they should have been rejected outright, rather than simply investigated by a Royal Commission. They, like the Church of Scotland, objected to the composition of the Commission, but on the ground that only one of its eleven members was a dissenter. After having thanked the members of their deputation, they passed this resolution:

"That the synod learned, with much satisfaction, that the government had not acceded to the application of the Established Church of Scotland, 'for an immediate grant of money to all the chapels-of-ease and new churches which have been built, or are

1. M'Kerrow's Secession Church, p 752

now in progress of building, throughout the country.'

"That although decidedly of opinion, that a demand for an endowment ought to have been rejected absolutely and unconditionally, they regard the appointment of a royal commission, to inquire into the ecclesiastical statistics of Scotland, as matter of high satisfaction, being fully persuaded that no accurate and sufficient information on this important subject is at present possessed by the legislature or the government; and farther, they are of opinion, that the amount of church accommodation, and of religious instruction, and of pastoral superintendence, furnished by the several religious denominations in Scotland, as well as the amount of ecclesiastical funds, not at present employed for ecclesiastical purposes are, in the present circumstances of the country, legitimate subjects of the proposed inquiry.

"That although, in the composition of the commission, it is obvious that no just or adequate proportion has been afforded to dissenters, there being of the eleven commissioners only one dissenter for a population in which, at a moderate computation, dissenters are to churchmen, as two to three, they are desirous to afford every aid and facility to such an inquiry.

"That they have learned, with much surprise and disappointment, that it is in contemplation to confine the inquiry to those places where, according to the statements of the Established Church, a deficiency of church accommodation, and of religious instruction, is said to exist, and would respectfully but earnestly remonstrate against this limitation, because it

will occasion just dissatisfaction to the dissenters throughout the country, and can only lead to partial and defective conclusions, instead of securing that ample and correct information, on the subject of inquiry, which constitutes the only safe and reasonable basis of wise and impartial legislation with regard to them; and to obtain which, was understood to be the object of the appointment of the commission.^{1.}"

A memorial embodying these resolutions was prepared and sent to Lord John Russell, His Majesty's principal Secretary of State for the Home Department. He answered in a letter in which he stated that he did not see the justice of their arguments, in all respects, particularly relating to the scope of the investigation. In the meeting of the Synod in April, 1836, this reply was considered, and a committee of ministers and elders in Edinburgh and Leith was appointed "to watch over the steps which may be taken to increase the number of places of worship, and of endowments, in connexion with the Established Church." All presbyteries, and individual church members were enjoined to remain vigilant, and to give such information as^{2.} they could to the members of the committee for their action.

All of this was done, on the dissenters' side, with the conviction which finds expression in the pages of M'Kerrow's History of the Secession Church. Having asked the question of why the Church of Scotland had moved to meet the problem of church accommodation, he answers it thus: "...I proceed to notice a remarkable discovery which has been made by the leaders of

1. M'Kerrow's Secession Church-, p 752
2. *ibid*, p 754

the church-extension movement. This discovery related to the rapid and extraordinary increase of dissenters. For a long period, it was generally admitted, both by those within and those without the pale of the Establishment, that the increase of dissenters, in this northern portion of the island, was owing to the existence of the law of patronage, to the sufferance of error in the national church, to the supineness and occasional immorality of her ministers, and to the course of mal-administration pursued by her ecclesiastical judicatories. To these causes were usually attributed the existence and increase of the Secession, the Relief, and of other dissenting societies. But since the commencement of the voluntary church controversy, it has been discovered, that the reason why dissenters have increased in such an extraordinary manner, is the want of accommodation in the parish-churches. Because the government has been so very lax, ever since the time of John Knox, as not to build churches in every square and land of the cities, and in every little straggling village of the country, what could the neglected heathen of this island do, but become dissenters, and build churches for themselves. This is the melancholy discovery that has been made. If there had only been a sufficient number of churches, in which to accommodate the people, these dismal effects would have been prevented. The advocates of the voluntary church system have indeed attempted to show, that the want of churches cannot be the cause of the increase of dissenters, nor of the prevalence of heathenism at home; because a large proportion of the churches in the country are not nearly

filled, and there are thousands of unlet and unoccupied seats^{1.} in the churches of many large towns."

In carrying through the scheme of Church Extension, many meetings were held, in the various parts of Scotland. Some of these were on Presbytery level, but many of them were on the Parish level, or were intended to embrace several parishes. Every one was planned to arouse enthusiasm for Church Extension, and to help in the solicitation of funds for the building of the churches. In many cases, the mere announcement of these meetings was enough to arouse the open opposition of the dissenting and voluntary groups. Indeed, some of them became the scenes of near riots as the Voluntaries tried, sometimes succeeding, to capture the meeting and turn it to their own ends.

The following account relates a typical experience and indicates the furore and excitement which attended the Church Accommodation movement.

"On the last Sabbath of October intimation was made from the pulpit of the Strathmiglo parish church, that a meeting of the friends of church and school extension, would be held in that place, on Thursday evening following, at seven o'clock, to hear a deputation from the Fife and Kinross Church Extension Society, in behalf of the General Assembly's church extension scheme. In consequence of this intimation, the church was crowded to excess. At the time appointed, the minister of the parish (Mr. Middleton), the Rev. Mr. Murray of Dunbog, Charles Christie, Esq. of Durie, and David Maitland MacGill, Esq. of Rankeillor - made their appearance. Mr. Middleton at once entered the pulpit and opened the meeting with prayer. When he had concluded, he was about to address the audience, when the Rev. Mr. Mylne of Edenshead, rose and remarked, that the first business of a public meeting was to choose a president, and he therefore begged to move, that Mr. Thom of Cattoch-hill, one of the heritors of the parish, and a justice of

1. McKerrow's Secession Church, p 743

peace, be called to the chair. This motion was seconded by Mr. Thomas Ireland of Nether-Urquhart, and carried by acclamation. Mr. Thom then ascended the steps which lead to the precentor's desk, but Mr. Murray, who had already taken possession of this place, refused him admittance. He therefore, seated himself beside the deputies, who were upon a form within the range which encloses the pulpit and desk. Here he was attacked by the whole four gentlemen beside him, with a number of the most abusive epithets, such as ruffian &c, but Mr. Thom kept his composure and his seat. Mr. Middleton again attempted to address the meeting, when a cry was raised from all parts of the house, "address the chair." He replied, that he was in the chair. He was then asked, who elected him? But he could give no reply. After much tumult Mr. Christie rose and insisted that as Mr. Middleton had been allowed to pray, he was to be considered as chairman. He was told that that did not follow. He then insisted that as Mr. Middleton was minister of that parish, he was chairman of right. That however was denied, and he was answered that that was toryism with a vengeance. He then moved that Mr. Middleton should be elected chairman; and a number of hands were immediately held up in support of the motion, but the voters were reminded, that as yet, no one had seconded the motion; but to afford fair play, Mr Thom was again proposed, seconded, and his election carried by an overwhelming majority. Mr. Middleton, who still kept possession of the pulpit, declared that he would allow no man to be acknowledged chairman of that meeting but himself; and commenced abusing a dissenting minister who was present, for taking part in the proceedings, saying, that the person who could do so, was capable of picking pockets, and that though he had no character, he (Mr. Middleton) had one to lose. Several voices cried, "the gentleman has as good a character as your own." The groans and hisses at this stage of the proceedings became most fearful, and several ladies who were present retired. Mr. Christie again rose to speak, but it was immediately demanded of him that he should address Mr. Thom as chairman. This he refused to do, and the hootings and groans began again on all sides. Mr. Thom rose, and having obtained silence, assured the deputies that he would secure for them a respectful hearing, provided they would listen to a reply. Here he was ordered down by the whole junto, but nevertheless kept his seat. Mr. Christie said that Mr. Thom and his supporters were acting illegally, that they would yet account for it, and that he had the authority of his friend Mr. Macgill, who was a lawyer, for saying so. Mr. C. then turned to a seat where several dissenting ministers were sitting, and demanded their names, as he held them responsible for the conduct of the

meeting. Having been told that the gentleman nearest him, was the Rev. Mr. M'Kelvie of Balgedie, he wrote down his name, and was proceeding in his interrogatories, when the Rev. Mr. Johnston of Leslie rose and demanded his name - he answered with great pomp, Charles Christie of Durie. He then demanded his interrogator's name, which being given, he was proceeding to ask those of the other ministers present, when he was reminded that time about was fair play, and that therefore it was his neighbour should give his name. Do you ask my name? demanded his neighbour. It is David Maitland MacGill of Rankeillour, I'm one of the de-. The rest was lost in groans, like the last sounds of the pilots speaking-trumpet in the storm. This farce of exchanging names went no further, and silence ensued, while the deputation consulted with their two reverend friends what was to be done. During this silence, a person in the gallery rose and proposed three cheers for a separation of church and state, which was responded to in a manner that intimated heart and soul were in the cheers. Mr. Christie said, sneeringly, "That's argument." The gentleman that seconded the nomination of Mr. Thom to the chair, rose to speak, when Mr. Middleton attacked him with great fury from the pulpit; told him he had no business there; and that as a man in unfortunate circumstances, he ought to go home and mind his own affairs; (cries of shame, shame). Some one cried out "he is an heritor of the parish, and has a right to be here." The gentleman himself rose again and demanded what the Rev. Gentleman meant, by saying he was in unfortunate circumstances? Did he owe him any thing? And till he retracted that expression as publicly as he had made it, he would hold him a slanderer, and treat him accordingly. Mr. Middleton attempted to explain, by saying that he meant only, that the gentleman was unfortunate in being there at that time. A laugh and a yell from all parts of the house intimated the derision with which the explanation was received. Mr. Christie rose to say, that if the meeting would acknowledge Mr. Middleton as chairman, and allow the business to go on, the deputation would overlook what had been done; he was answered, that Mr. Thom was the regularly elected chairman, and the meeting would acknowledge no other; that the persons composing the meeting knew business and order as well as the deputies; and that they had proceeded orderly in their business, while the deputation had not. Two hours and a quarter had now been spent in this sort of bandying, when, after a short consultation between the deputation and their Rev. friend, Mr. MacGill announced that the deputation had been driven from the church by an assault, and that certain gentlemen present must abide the consequences. He and his three friends then withdrew. The Rev. Dr. Taylor rose and suggested that the gentlemen

be allowed to retire quietly without molestation, which advice was duly respected. The Rev. Mr. Mylne then moved that this meeting declare it inexpedient that a petition for further endowments to the Church of Scotland should go from the parish of Strathmiglo which was seconded and carried by acclamation. Mr. Johnson proposed that a counter vote should be taken, and that those who were for petitioning in favour of endowments should hold up their hand. The chairman put the counter motion also, but no hands appeared. It was then intimated that another anti-endowment meeting would be held in the town as soon as convenient, of which due intimation would be given, and the deputation which had just left them would be specially invited to attend. Thanks being voted to Mr. Thom for his noble conduct in the chair, the meeting quietly dispersed; and we hardly think another of the kind will be attempted in Strathmiglo for some time to come, or that the minister of the parish will speedily recover from the pernicious effects to himself of the one he has already been instrumental in bringing about,"¹.

To this type of local encounter, was added the continual barrage of pamphlets, and of periodical literature. Every move of the opposing party was recorded, and every defeat of either Churchmen or Voluntaries proclaimed. The dissenters protested to the Royal Commission against being requested to disclose the amount of debt on their churches, and this request was granted. During the period of investigation, however, feeling ran high, and every means was used to discredit opponents.

On the part of the Church of Scotland, the voluntary giving of the churches yielded over the entire period 216 churches. On the part of the Dissenters, their protests were effective in keeping the Church of Scotland from drawing endowments from the Government, and led to even graver issues.

1. Voluntary Magazine, December, 1838, p 549

Chapter VI

Tithes and Taxes

Differing conceptions of the correct principle for church support, were a major source of the voluntary controversy. The dissenting churches were voluntary churches, and insisted that the ministry of a church must be supported by its own people. The conception of the ministers and people of the Established Church was that it was the duty of the State to see to the religious instruction of the people, by setting up an Established church, and by providing for its support. The Voluntaries believed that the church was a functioning community; the Churchmen believed that the national community had responsibilities in the support of religion.

In 1838, this issue over the proper means of the support of the gospel was highlighted by the controversy over the payment of the Annuity-tax, and by the controversy over Bishops' tithes. Neither controversy was new, but both were parts of the controversy which had been developing for a number of years.

The Voluntary position, and their conception of the position of the Established Church, is seen in the pamphlet, "Tekel Again," by Robert Morison. There, he says, "....it will be necessary to state and keep in mind, the things that are indispensably requisite in a civil Establishment of religion, and what is the true character and comprehensive spirit of the Voluntary principle.....Throwing aside, therefore, all mere accessories and adventitious circumstances, there are two things without which it is impossible a civil Establishment of religion can

exist,- a legislative or civil sanction to a creed or formulary,
and a maintenance to the clergy exigible by civil law...."^{1.}

On the other hand, the Voluntary principle disclaims all such State sanctions to a creed, and all such legislative powers to raise the pecuniary resources of the church, and relies solely upon the religious and moral principles of the people. Yet it does not suppose that rulers and nations have nothing to do with religion, but allows them, as we will see, a wide scope of Christian operation, provided they abstain from legislation in the matter. And it does not suppose that the solemn duty of the people to support the gospel is extinguished by being voluntary; but they are bound to afford this support by the laws of God, of reason, of conscience, and of common sense and common honesty. As the Voluntary principle makes provision for the vindication of all these laws, it allows a church or a congregation to make any equitable internal regulations among themselves that may seem meet, for raising funds, and to enforce them by all except unrighteous or legislative means; and however diversified, in different localities, these may be,- however wise or unwise, efficient or inefficient, they are perfectly voluntary, if they are only not such as can be enforced by the restraint of civil law. Nay, whatever moral and ecclesiastical means were employed to bring up people to the performance of all parts of Christian duty; even though that were to be done, which I suppose never has been and never will be done, that a member for neglect of dutiful liberality were to be admonished,

1. Morison, "Tekel Again", p 1

or rebuked, or suspended, or excommunicated,- still there would not be the slightest infringement of the Voluntary principle, provided he cannot be legally attached in his person or property, - in his liberty or his substance, -for default of payment. It would not even make the smallest difference in the case, whether these moral means were put in operation against him by kings or priests, - by civil rulers or gospel ministers,- provided there was no law of distraint to be executed upon him if he continued contumacious.^{1.}"

This conviction that establishment of the church means the use of Civil power in the support of its ordinances, and a protest against that as contrary to the Scriptural teaching, is common to Voluntaries. Thus the Rev. James Spence, of Aberdeen, after arguing that the tithes of the Old Testament were voluntary contributions, and that the New Testament knows only voluntary support, quotes Philippians iv. 10-18 and says: "Here we are taught by this aged Voluntary, who wrote under divine inspiration, that the Ministers of Christ should not only rejoice, but should rejoice in the Lord greatly, when a care to provide for them flourishes among the Christian people, in obedience to the ordinance of Christ. But the advocates of compulsion teach for doctrine the reverse of this; namely, that we ought to rejoice in the Lord greatly, when the civil magistrate makes void the ordinance of Christ, respecting the support of Pastors, by the Christian people,- compels support at public expense, for the Ministers of the favoured sects; and thus prevents the people from doing what Christ enjoins them, and from exercising

1. Morison, "Tekel Again", p 4

any care whatever about the support of their spiritual instructors! Here we are taught, that the Ministers of Christ ought to rejoice in the Lord greatly, when they receive voluntary support; and that they ought to accept of such support, as a fruit of the faith of the Christian people, and a proof of the sincerity of their love. But the advocates of compulsion teach, that the voluntary scheme of support is mean, insufficient, and insecure; and that we ought to rejoice in the Lord greatly, when the civil magistrate leaves no room for its operation, but secures, by the strong arm of law, a comfortable support for the Ministers of the favoured sects, and does not suffer them to depend on the scanty and precarious free-will-offerings of the Christian people! Here we are taught that the Ministers of Christ ought to rejoice in the Lord greatly, when the Christian people give of their substance liberally and cheerfully, to supply their wants; not because they desire a gift, but desire fruit that may abound to their account; not that such fruit merits anything at the hand of God, but because he has graciously promised, that while he who soweth sparingly shall reap also sparingly, he that soweth bountifully shall reap also bountifully. But the advocates of compulsion teach, that we ought to rejoice in the Lord greatly, when the civil magistrate puts it out of the power of the Christian people to support, by Voluntary contributions, the Ministers of the favoured sects, - suffers not the people to bring forth such desirable fruit, and deprives and robs them of the gracious reward! Here Paul, and, in Old Testament times, David, and the princes

and people of Israel rejoiced in the Lord greatly, that they had a religion which cost them something, and that they did not offer to God that which cost them nothing. But the advocates of compulsion teach, that the Christian people in Scotland ought to rejoice in the Lord greatly, because they have by birthright a religion which costs them nothing, - a church which has endowments of her own, and costs not the nation one farthing! And here we are taught that the voluntary support of the ministers of Christ by the Christian people, IS AN ODOUR OF A SWEET SMELL, A SACRIFICE ACCEPTABLE, WELL PLEASING TO GOD. But the advocates of compulsion teach, that the compulsory support of the ministers of the favoured sects, is a duty incumbent on the civil magistrate, and is an odour of a sweet smell, a sacrifice acceptable, well-pleasing to them. Thus, that which is highly esteemed by compulsionists is abomination in the sight of God; and that which is highly esteemed by God is abomination in the sight of compulsionists; for it is upon this very thing, namely, the voluntary support of the ministers of Christ, which is an odour of so sweet a smell, - a sacrifice so acceptable and so well-pleasing to God, that so much contemptuous, abusive, and scurrilous language has of late been poured by the advocates of compulsion. If the system, for which voluntaries contend, is of man, - a mere human invention, it deserves all the contempt, merits all the scorn, and is worthy of all the reproaches which its bitterest enemies have cast on it: but if of God, and the only and the expressly ordained mode which the King Eternal has appointed for supporting and spreading his

religion, how can the kings of the earth, and such of their subjects as oppose Christ, in this matter, stand before him in the day of wrath, and answer for their conduct? On the contrary, if the compulsory system be of God, the voluntaries are guilty of the most fearful rebellion against the Most High, and how can they stand before him? On this point I have solemnly thought, and entertain the most assured persuasion, that, in contending against that system, I am in the company of prophets and apostles, and of Christ himself; and that I am labouring to establish a principle not only expressly recognized in many parts of the Scriptures; but also supported by the whole bearing and spirit of the word of God. I am confident, that it is impossible to establish the compulsory system from that word. What! are we to believe that the Scriptures enjoin poindings! distrainments! incarcerations! and exactions of money by the pains of law, from Infidels! Socinians! Papists! Quakers! and Dissenters! for the support and propagation of Christianity! and that this method of providing the gospel for the favoured sects is an odour of a sweet smell! a sacrifice acceptable! and well-pleasing to God!!! Horrible belief! and directly opposed to the divine word. The system of compulsion, therefore, will fall; for "Every plant which God hath not planted shall be rooted up," and "the nation and kingdom that will not serve Christ shall perish; yea, those nations shall be utterly wasted." Let the advocates of compulsion, therefore, consider well what they are doing, when contending for their own, in opposition to the voluntary system; for although this latter, if it "be of men" will

come to nought; if it be of God, they cannot overthrow it, lest haply they be found to fight" not for, but "against" the method which Christ has ordained for supporting and propagating the gospel, IN HIS NEW TESTAMENT ESTABLISHED CHURCH.^{1.}"

The accusation of "compulsory" carried with it the more weight because of the system of support in vogue in the city of Edinburgh, at least. There, the eighteen city churches and their ministers were supported by an Annuity-tax, which was levied on the whole of the population. This tax was an annual impost of six per cent on the rental, of all the "dwelling houses, chambers, booths, cellars, and all other houses, high and low," within the city. The occupier, and not the owner was responsible for the payment of this tax. Somehow, all members of the College of Justice were exempted. This included almost, if not^{2.} all, the members of the legal profession.

The Annuity-tax owed its origin to King Charles I, who soon after his accession to the throne moved to settle church affairs in accordance with his father's plan. Accordingly, he submitted eight articles to the town council of Edinburgh for their immediate consideration and acceptance. The first of these articles, required that several congregations be formed. The second required a division of the town into four parishes. Article three read: "These ministers must be provided of houses to reside in, within their several parishes, which shall be known to be the houses of the Church; and with maintenance sufficient, which in that town can be no less than 111 pounds, 2

1. Spence, "The Voluntary and Compulsory Systems Examined" pps 81-83

2. Hanna, "Memoirs of Dr. Chalmers," Vol III, p 424, 425

shillings, 2 pence to every minister, and ought to be paid in all reason, by the people that live under their cure. This may be done either by imposing a certain annuity upon every house and tenement within the parish, as is done here at London, and in well-ordered cities, or by some other convenient means that may be devised; and till this take effect, the town must bear the whole of the charge.^{1.}"

The Town Council of 1625, to which these articles were addressed, answered them all, but hesitated to put all of the articles into action. They pointed out that their ministers were each provided with a house, and with a salary of 66 pounds, 13 shillings, and that they hesitated to impose a tax, since the common burden was all that the people could bear.

In April, 1633, the Town Council appointed a commissioner to His Majesty for the purpose of getting the purposed arrangement about the Annuity tax carried into effect.^{2.} A year later, (March 1634), after the establishment of the bishopric of Edinburgh, the Annuity tax was for the first time authorized by the Act of the Privy Council.^{3.} In 1648, the Town Council and inhabitants resolved to increase the number of ministers, and applied to Parliament for leave to increase the amount of Annuity from 12,000 to 19,000 merks.^{4.} This was authorized by annuity at the rate of five percent, for the stipends of six ministers. The next year, the rate was increased to six percent,^{5.} and the deacons were required to make the collection.

1. MacLaren, Duncan - "History of the Annuity Tax", p14

2. *ibid*, p 16

3. *ibid*, p 18

4. *ibid*, p 22

5. *ibid*, pp24,25

In 1655, since the revenue was not all that was expected, the ministers entered into a temporary agreement with the Town Council, by which the Town received the income of the tax, and guaranteed the minimum of the Ministers' stipend.^{1.} During the interregnum, the act was abolished, but was restored on June 6, 1661, after the restoration of Charles II. This act, which was primarily for the benefit of the Episcopal clergy, then established, did not restrict the sum to be raised to 19,000 merks. Magistrates and the Council were either to employ^{2.} deacons to collect the tax, or to appoint other collectors. In 1809, the act was extended to newer parts of Edinburgh, and a section was added, which enabled the ministers of Edinburgh to draw the whole of the tax, rather than to the limit^{3.} of their stipend.

The records would indicate that there was some resistance to the payment of the tax from its inception. From the time of the Presbyterian Establishment from 1639 to 1661, there was resistance on the part of those who were not members of the Establishment.^{4.} When Episcopacy became the Established church, the Presbyterians resisted the tax, as they considered it "persecution for conscience' sake", to be compelled to support any church other than their own.^{5.} After the restoration of the Presbyterian Establishment, resistance is still recorded to the tax, and in 1698, there is record of Mr. Simon Gyles, French Minister, who

1. MacLaren, Duncan, "History of the Annuity Tax," p 28

2. *ibid*, p 32

3. *ibid*, p 69,70

4. *ibid*, p 40

5. *ibid*, p 44

had his goods returned to him, after he had refused to pay the tax.^{1.} Later, in some instances, the poor who could not pay having been removed from the lists, the goods of non-paying inhabitants were sold at public roup.^{2.}

This tax, with its exemptions of the legal profession, became an object of attack by the Voluntaries. It seemed to them to be the very essence of that which was objectionable in Establishments. Lord Advocate Jeffrey in June, 1833, offered a bill in Parliament whose design was to transmute the payment of the clergy into a fixed sum, and to do away with the exemption claimed by members of the legal profession. This was rejected by the Dissenters on the ground that it legalized and made permanent the title of the city clergy to raise their stipends by an assessment on public money.^{3.}

Under the influence of the Voluntary Controversy, with its convictions against compulsory support, more and more people began to refuse to pay this tax. Hanna, in his Memoirs of Dr. Chalmers, sides with the Established Clergy, and stresses their leniency. He says, "In the exaction of this tax, they had always acted with the utmost leniency. They had urged, indeed its extension, but it was not that their individual incomes might be increased, but that additional ministers for the city might be provided. While the law directed that six percent should be charged upon the full rental; with their consent it was only upon four-fifths of the rental that it was charged. Though all dwellings were made liable to this burden, all tenements paying 5 pounds and under were exempted. Whenever actual

1. MacLaren, Duncan, "History of the Annuity Tax-" p51

2. *ibid*, p 54

3. Hanna, Memoirs of Dr. Chalmers, Vol III, p425

inability from poverty or mis-fortune was pleaded, the clergy had been always willing to grant the certificate which freed from payment. But when hundreds who had no such plea to urge refused to pay, and by that refusal threatened to cut off or reduce the maintenance of the ministry, the odium of having recourse to legal exaction too evidently fell not on those who enforced the payment, but on those who rendered that enforcement necessary.^{1.} Other sources, however, say that in 1833 alone, no fewer than 846 citizens were prosecuted for refusing to pay, and that altogether warrants were issued against 1,961 recusants in Edinburgh.^{2.} MacLaren, in his "History of the Resistance to the Annuity Tax," credits the Edinburgh ministers of 1809 with inserting a secret clause in the act extending the annuity tax, which changed its character, and made the whole of the tax, even beyond the promised stipend, fall to the ministers of the city.^{3.}

This was the situation which led the Rev. John Brown, minister of Broughton Place Church, Edinburgh, and a member of the United Associate Synod, to declare by public letter in the "Scotsman" of January 2, 1836 that while he had paid his 1835 tax under protest, that he would no longer consider himself liable to pay the tax. His letter said, "The subscriber, minister of the United Associate Congregation, Broughton Place, having paid the sum of 3 pounds, 0 shillings, six pence, with which he was charged by the Chamberlain of the city, under the name of Annuity, for the payment of the stipends of the Estab-

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, P 426

2. Barr, "Scottish Church Question" p 72

3. MacLaren, p 84 f.

lished Clergy, to prevent misconception and to exonerate himself, thinks it necessary to make the following statement:- Holding that on the principles of general equity, as well as of Christian law, it is the duty of subjects to pay without grudging the taxes imposed by their government for general purposes, even although the expenditure of the public revenues may not, in every case, be wisely and righteously administered- he equally holds that, on the principle, 'We ought to obey God rather than men,' when a tax is imposed for a specific purpose, which in the estimation of him from whom it is demanded, is unjust, it becomes his duty, not indeed to resist the Government, but to take such measures as shall make it evident to all, that if his property be employed in promoting such a purpose, it is so, only in consequence of his having been 'spoiled of his goods.' Without reference to the subscriber's objections to that particular Ecclesiastical Establishment which prevails in this country, it is his conscientious belief, that a compulsory support of religious institutions is inconsistent with the rights of men, the nature of religion, the spirit of the gospel, and the express law of Jesus Christ. For him, a Voluntary, to commit any act virtually denying or compromising this principle, would be a violation of his convictions of duty; and could this have been avoided in any other way, he would have considered it imperative on him to submit to the distraint of his property, or the imprisonment of his person:- should those who are unfortunately interested in the execution of what he accounts an unjust law, have thought fit, in his case as in other, to carry matters to

such extremes. Convinced, however, that all the desirable ends of such a passive resistance, may be answered by a public protest, he takes this method of declaring that he had not voluntarily paid the tax, which he considers a most unwise and oppressive means of gaining an unauthorized and unrighteous end; and that he regards the exaction of it from himself, as a wresting from him his property, to serve an unjust purpose; - a punishment inflicted for the factitious crime of dissent - a fine extorted for holding certain religious principles; and to make the injustice and insult more intolerable, appropriated to the support of a system - that of the compulsory maintenance of religious institutions - which he conscientiously condemns - in one word, "Persecution for Conscience¹' sake."

In April, 1836, Thomas Russell and Mr. Chapman were imprisoned in Calton Jail, Edinburgh, for their refusal to pay the Annuity Tax. The imprisonment was made the occasion for a visit of upwards of two hundred members of the Edinburgh Young Men's Voluntary Church Association. They there delivered an address, in which they said, among other things, "They deeply lamented that any individual should be deprived of his personal liberty, and constrained to become the inmate of a jail, at the suit of a body professing to be the ministers of the gospel, whose demands were not only founded on injustice, but were opposed to the sacred rights of conscience - a violation of which was the only alternative of enjoying freedom from their oppression. On the other hand, however, they rejoiced that from

1. Edinburgh Voluntary Churchman, April, 1836

the influence of religious and moral courage, you had been able to act in the matter as became men, who were deeply impressed with the importance of the principle upon which you refused compliance with the claims of your incarcerators; and that, too, in the full knowledge of the highly disagreeable consequences which would inevitably result from such a refusal."^{1.}

At his release, Councillor Russell published a letter to the members of the Church of Scotland, in which he set forth the reasons for his action in refusing to pay the tax. There, he states that he has objected to the tax for the previous nine years, since he discovered that the whole of the tax went for the support of the clergy. Once, he says, he suffered distraint (seizure of goods), and now imprisonment. In spite of this his beliefs have become stronger and "they convince me more strongly than ever of the great contrariety that exists between a State religion and the religion of the Bible, and that it is imperative upon me to refuse compliance with the demands of "Caesar" in this matter."^{2.}

In October, 1837, Dr. Brown announced, at a public meeting in the Rose Street Church, that he had not paid the Annuity tax, and that he would never pay it again. This was conceived to be an attack on civil power by Robert and James Haldane, founders of the Independent and Baptist Churches of Scotland, and they attacked Dr. Brown in public letters. Robert Haldane, in a letter to the 'Edinburgh Advertiser,' declared that the resolution not to pay the tax was contrary to Scripture. He said,

1. Edinburgh Voluntary Churchman, May 1836

2. Russell, Thomas, "A letter to members of the Church of Scotland"

"I am shocked with your determination of going to prison, rather than pay a tax of which you disapprove.... To resist a tax imposed by the Government under which you live, is to rebel against Christ, and in the end may kindle the flame of civil war."^{1.}

The position of the Haldanes was set forth by James in a pamphlet in which he said: "I have from the beginning considered the Voluntary question to be political, and not religious. The present is a season of great excitement, and it is not surprising that many Christians should partake of that general feeling. That great changes are impending, is highly probable, and that they shall all promote the glory of God, and the prosperity of Zion, is most certain. But who can estimate the amount of misery which any great convulsion in this country must produce? Christians may be forward in the work of agitation; instead of living as strangers and pilgrims upon earth, they may be engrossed with political questions; they may impose upon themselves, by imagining that their zeal on such subjects springs from their regard to religion, and that their sole aim is the enlargement of the Redeemer's kingdom. But the heart is deceitful above all things, and believers, in such circumstances, are in danger of becoming as worldly-minded as the man who rises early, sits up late, and eats the bread of carefulness, hasting to be rich, under the plausible pretext of providing for his family."^{2.}....

"I disapprove, therefore, of the proceedings of the Volun-

1. Barr, "Scottish Church Question", p 72

2. Haldane, J.A., Voluntary Question, Political not Religious, "p 6,7 -

taries precisely upon the same principle which leads me to condemn a National Church. Both employ carnal weapons, which are equally foreign to the nature of that kingdom which is righteousness, and peace, and joy, in the Holy Ghost.

"The sentiment which many years ago I expressed to a friend, is still unchanged, - that if I could subvert the National Church by holding up my finger, I would not do it..I know my duty, as an individual, to be separate from it; but the responsibility of producing the change which is implied in its overthrow is too great. I am neither wise enough to foresee, nor rash enough to risk, the consequences.

"The question of a National Church wears a double aspect. It may be viewed either as a religious or political question. If considered in a religious point of view, it is easily settled. - it is not sanctioned by the apostles; they separated the disciples not only from the grossly immoral, but from the most respectable who knew not God. A National Church prevents this separation, and those who regard the Apostolic authority, ought to give no countenance to this 'new and strange doctrine.'¹ If we view the question under its political aspect, a wide field of controversy is opened, and in this, as in other political questions, men will conscientiously take different sides."^{1.}

The Voluntaries regarded Dr. Brown's step as a needed impulse to the Cause of Christian liberty. A letter from Dr. Heugh, written to Dr. Brown, shows this sentiment. Dated December 21, 1837, it says: "My very Dear Friend,- Shall I congratulate you, or condole with you? 'A little of both!' I think

1. J.A. Haldane, "Voluntary Question etc."- p 9,10

you would say. I say congratulate. Circumstances which you did not arrange for yourself, but which Divine Providence has arranged for you, have placed you in your present position. In itself, the position is not desirable. To be assailed by the arrows of the tongue, to be every-where spoken against, to have good men against us, as well as the chief priests and Pharisees, is not very enviable. But a crisis has come, and you have been honoured to meet it. The cause of Christian liberty required an impulse again; it required to be awakened, and you have awakened it. I believe you have taken precisely the ground marked out for you by Christ and his apostles; He will be with you while you continue to occupy it; and who, then can be against you?^{1.}..... I congratulate you."

Dr. Brown justifies his position in the expositions of his "Law of Christ respecting Civil Obedience". There, he devotes a good number of pages in the appendix to the annuity tax, and to his position in relation to it. He contends that the annuity tax, along with tithes and teinds, are religious taxes, as distinct from civil taxes. The latter, he claims were taxes on the land for the support of a particular section of the Christian Church. The Annuity Tax, he states, was enacted to support a portion of the Presbyterian Establishment in Edinburgh, and was shown to be a religious tax by the preamble of the statute enacting it. There, the enactment was grounded on the religious principle, "that nothing is more consonant to equitie and reason, that all such persons that

1. MacGill, "Life of Hugh Heugh", p 307

dailie enjoy in plenty that blessing of the word of God, and heares the same preached, and does participat the benefit of the clergy, should contribute to the maintenance of the minis-trie in these places where they take the foresaid benefit."

He objects to the Annuity Tax, on the grounds that all such religious taxes are "ultra vires" of the civil magistrate. It is not the function of the civil magistrate to impose such taxes, and is in reality beyond his true powers. Further, the tax is objectionable in its injustice to Dissenters. The tax purports to be on those persons who participate in the benefit of the clergy. The Dissenters do not so participate, and so should not be compelled to contribute to the maintenance of the clergy who are supported by the tax. Still more, it is objectionable where Dissenters disapprove of the tax in that they consider it to rest on an unjust law, and yet are compelled to pay the tax. This, he considers, is establishing iniquity by decree, and then requiring Dissenters to uphold that law.

Besides these general objections, he considers that the Annuity-Tax has faults in itself. The first of these is that it is an unequal tax. This would be true, even were all people members of the Established Church. This tax bases itself on the rent of houses, and thus had a very incorrect method of ascertaining the wealth of those who occupy the houses. It taxes shops, and forces the merchants to pay more than their fair share for the support of the clergy. In addition, the entire exemption of one class, which composes one of the wealthiest bodies in the community, most of whom are members of the

Established Church, is a gross insult to everything like fairness. Further, from circumstances connected with the obtaining of the act, it had been since 1809, an illegal tax.

The considerations that the tax is for a purpose for which no civil magistrate can have a right to impose a tax or levy; that it is unjust to Dissenters; that it is unequal, and that it is illegal, are enough to require those who are subjected to the tax to use every legal and constitutional means to get rid of it. These do not, however, make it obligatory on them not to pay the tax. If however, they conceive of the Establishment as being inconsistent with the Will of God, he does not see how they can, in good conscience, pay the tax. One cannot, he says, actively support that which one knows to be sinful and evil. It is on this, that he bases his opposition, and says that there is no sin in suffering for declining his active concurrence with what he believes to be
1.
sinful.

The ministers of the Established Church considered all of this as a revolt against Civil Authority. Believing, as they did, in the duty of the state to support and further religion, they could do nothing other than remonstrate against the, to them, unseemly actions of Dissenters. Their attitude was eloquently expressed by Dr. Chalmers, when the matter was broached in a meeting of Edinburgh Presbytery. Of non-payment of the tax, he said, "It is a topic which one scarcely knows how to approach, for capable though it is of being looked at in different ways or from different points of view, they all of them are

1. John Brown, "Law of Christ respecting Civil Obedience,
p xlvii

excessively painful; and no one, I am persuaded, whose heart is in its right place, but must feel it to be precisely that topic which it is both most distressful to think of and most difficult to speak of as one ought. The general desire for a change or rectification of the system by means of a new law - that I can understand; but anything like a general refusal of the old law, and that by a simple and spontaneous cessation of the wonted payment, with no other account of the matter than that they so choose it, and no other authority than the bidding of their own will - this is what I do not understand....

"But let me not be mistaken. I am not calling hard names or applying severe epithets to any class of men. I am characterizing acts and not persons; for I will not believe, after the real nature and character of such acts come to be fully understood, I will not believe it possible that, to any great extent, they can be persisted in. In whatever way the new score between Edinburgh and her clergy is to be entered on, it were an indelible stigma on your city were the old scores not most fully and honourably cleared off. I do not say that the stigma has yet been contracted; or if it have in any great degree, I do not feel as if I betrayed too sanguine a temperament, when I express my confidence that it will be speedily wiped off. It is impossible to think otherwise. Let the thing be but exposed and fairly laid open, and every generous, every honest feeling in the place must be revolted by it. It has only to be stated, it has only to be seen in its own native and proper light, to bring Edinburgh to herself again. In every view you can take

of it, the enormity is such, that the disgrace of it would be felt intolerable; and that, whether we look to the character of the injustice in itself, or, let me add, to the character of those who are the objects of it; some of the superlative talent, and who, in any other profession, could have earned a revenue in comparison with which the whole even of their fair and full allowance is but a pittance and a bagatelle; some whom attracted by the eminence they had won in their country parishes, you have lured from their comfortable homes, and whom the present tendency of things would land in destitution; some, and these are not a few, who, besides being signalized by the superior and surpassing vigour of their pulpit ministrations, are positively wearing themselves out in the service of your institutions, or in the still higher though unseen services which they are daily, almost hourly, called upon to perform in the bosom of families; and, lastly, I will not say some or many, but all of untarnished name and high respectability, who have done nothing to forfeit the courtesies of life or the good-will of their fellow-citizens; and what have they done, I would ask, that, in the face of your virtual engagements, and with the violation of all integrity and good faith, they should be made to forfeit the subsistence of their families? Why, there is not an honourable man, who, if once made to view the matter in this light, which I take to be the true one, would not spurn from him the burning infamy of such a transaction, and refuse all share in it. That in a season of great public excitement, a season often of frenzy and forgetfulness, many should be denaturalized into

such a proceeding, this may happen in any town or in any country; but that many should withstand a remonstrance, lifted up in the name of the country's yet unrepealed law, and grounded on the clearest principles of fair dealing, - this is not Scotland,^{1.} it is not Edinburgh!"

The same attitude is present in the negotiations between the first Reformed Town-council, which came into office at the close of 1833, and the presbytery. In the early part of 1834, the Council suggested several changes in the relationship of the town to the town churches, which are quite evidently influenced by voluntary opinions. They recommended that the number of town churches be reduced from eighteen to thirteen, and that the Annuity tax should be abolished. They proposed that stipends should be paid from pew-rents, and that any deficiency should be made up by a tax on heritable property, one half to be levied on the landlord, and one half on the tenant. There were frequent consultations between the committees of Presbytery, and the Town Council, which finally resulted in the formal rejection by Presbytery of the offer of the Town Council. The Presbytery decided that it would not accept a fixed stipend out of the ordinary revenues of the town, in lieu of the annuity tax. They wanted to be assured that another source equally as productive was secured, before they renounced their right, and were not content that the ordinary revenue of the town was such a source. They declared that the income from seat-rents would be obnoxious to them, as this would mean a raising of the seat-rents, which were

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, P 427, 428

already too high, and even then were keeping the poor from the churches. Of the motion to reduce the number of clergy from eighteen to thirteen, Dr. Chalmers said, "The Presbytery cannot give their consent to any arrangement which shall have the effect, either immediately or in future, of reducing the number of clergymen. On this subject the Presbytery would, in the first place, appeal to those days in the past history of Edinburgh, when, as in 1668, there were twelve ministers, with a population, it is understood, of less than 20,000, or in 1722, when there were sixteen ministers, with a population of about 25,000. The numbers at present are eighteen ministers to a population of upwards 55,000; and the Presbytery never can consent to aggravate still farther the disproportion between the former and present ecclesiastical provision for the city, by a reduction in the number of city ministers. They are the more strenuous in this resistance, that the evil has been fearfully increased by an inundation of hearers in the city churches from the suburbs and surrounding neighbourhood of Edinburgh, in virtue of which it will be found that many thousands within the city itself, now wandering like sheep without a shepherd, have been denuded of that rightful property which they once had in the Sabbath ministrations and week-day services of their respective clergymen. The Presbytery never will consent to a reduction in their number, so long as the peculiar service of reclaiming these outcasts remains un-accomplished - a service of the utmost importance to the moral and Christian interests of the community, and which, under the present system of seat-let-

ting and of general congregations, is utterly impracticable."^{1.}

".... Our cause, despite of the obloquy which has been heaped upon it, is emphatically the cause of the unprovided - it is the cause of the poor against the rich - of the many who should reap the benefits of the Establishment in the lessons of Christian instruction, against the comparatively few who would refuse to pay the endowments, or who would retain what is not theirs, and who for their own private uses would appropriate that which ought to be expended on the best and highest objects of patriotism."^{2.}

After quoting a passage in favor of Establishments, Dr. Chalmers said in his conclusion, "....The dearest object of my earthly existence is the elevation of the common people - humanized by Christianity, and raised by the strength of their moral habits to a higher platform of human nature, and by which they may attain and enjoy the rank and consideration due to enlightened and companionable men. I trust the day is coming when the people will find out who are their best friends, and when the mock patriotism of the present day shall be unmasked by an act of robbery and spoliation on the part of those who would deprive the poor of their best and highest patrimony. The imperishable soul of the poor man is of as much price in the sight of heaven as the soul of the rich; and I will resist to the uttermost - I will resist even to the death - that alienation which goes but to swell the luxury of the higher ranks at the expense of the Christianity of the lower orders."^{3.}

1. Hanna, "Memoirs of Dr. Chalmers", Vol III, p 431,432

2. *ibid*, p 432

3. *ibid*, p 433

b. Tithes

The different conceptions of the nature of the church, and the valid means of supporting it, are also seen in the dispute which raged over the granting of tithes, particularly the Bishops' Teinds to the Church of Scotland, as endowment for their new churches. There again, we see the Churchman's assumption that it is the duty of the State to provide for the means of Christian instruction, and the Dissenters' protest against this assumption. The latter contended that endowments were in effect a tax, and that it was wrong to tax one portion of the community for the benefit of another. Again, they insisted on the necessity of Christian ministers being supported by those to whom they ministered.

1.

In the last month of 1837, the Royal Commission made its second and third reports. The second report dealt with the city of Glasgow and its suburbs, and showed that sittings were provided in the churches for only 39½ percent of the population, and that a large number of the population were not in the habit of attending worship. The third report dealt with teinds, and with their possible availability as a source of income for the Church of Scotland.

2.

It was shortly after this report had been issued that the Rev. Hugh Heugh, of Glasgow, wrote to a friend saying, "What a state of excitement we have again got to! Certain information has been obtained that Government intend to recommend a grant of the Bishops' Teinds to the Church of Scotland for additional

1. See Chapter V

2. Hanna, Memoirs of Dr. Chalmers, Vol IV, p22

endowments. These yield about 10,000 or 20,000 pounds per annum, and the whole Dissenting and Liberal interest is in arms. The Voluntary Church Society met last Tuesday, and we never had a more effective meeting. Memorial upon memorial is going up to Melbourne. An extraordinary meeting of the Central Board has been summoned for the 4th of January, to which delegates from all parts of the country are invited; pro-re-natae meetings, both of our Synod and of the Relief, have been called, and hundreds of petitions will go up from congregations &c. In the mean time, Edinburgh is on fire. Dr. Brown has declared his determination to suffer rather than sin by paying the Annuity Tax. He has been arraigned by the clergy and Robert Haldane as a 'rebel against Christ and against his country', for his refusal. He has replied with decisive power.....I have been appointed a delegate from Glasgow to the Ministry, but have not yet consented."

In the elections that had taken place in the summer of 1837, for a new Parliament, after the accession of Queen Victoria to the throne, the question of the granting of endowments to the Church of Scotland had been one of the issues put to candidates. A large proportion of the Scottish members had been decided on that ground, and many of them were returned by a combination of churchmen and dissenters who were opposed to the granting of endowments. M'Kerrow estimates that the majority of the liberal members of Parliament had stated their opposition to endowments, and had been sent to Parliament largely on that ground.² In any event, there is a strong presumption of

1. MacGill, Life of Hugh Heugh, p 307
2. M'Kerrow's Secession Church, p 756

political influence in the letter which Dr. Wardlaw, as president of the Glasgow Voluntary Church Society wrote to Lord William Bentick, one of the representatives from Glasgow. He said, writing on December 12, 1837:

"My Lord - I write to your Lordship officially, as president of the Glasgow Voluntary Church Society. At a late meeting of the committee of that society, a resolution was passed which was afterwards communicated to me, that I should write in their name to the Members of Parliament for the city, requesting of them that at their earliest convenience they would wait on His Majesty's ministers on the subject of their reported determination to grant additional endowments to the Church of Scotland. They request your Lordship and your Lordship's colleague in the representation of Glasgow to represent to them in strong terms - they can hardly be too strong - the deep regret experienced, not by themselves alone but by the great majority of your constituents, on hearing the rumour of this determination, and the large amount of confidence and support which in Glasgow, and in Scotland generally, must inevitably be withdrawn from their administration, should this rumour prove well founded. I will not presume to dictate to your Lordship the terms in which to convey their sentiments, but shall only say, that they regard the support of the Church of Christ by the State as in itself a departure from His institutions for her government and maintenance; that they regard every appropriation of funds from the national property to the exclusive support of any one dominant section of the church as an act of undue partiality and public unrighteousness; and that they there-

fore cannot but regard the proposal to increase such appropriation as being, to the extent of that increase, an aggravation of the partiality and unrighteousness, and, what is still worse, as being in the principle of it a renewed aggression on the conscientious scruples, as well as encroachment on the civil rights of a very large and growing portion - if I must not say a majority - of the community. They will naturally regard it too as no very gracious return for the steady countenance shown by that portion of the community to the Melbourne administration, and as by no means warranted by what transpired of the result of the inquiries of His late Majesty's Commission on the state of religious instruction in Scotland."^{1.}

Teinds, or tithes, were the heritage of the Protestant from the Roman Church. These tithes had been used in support of the ministrations of the Church of Rome, before the Reformation. At the reformation, a part of the income from tithes was directed to the support of the clergy, and the Crown made various grants of the remainder to laymen, who were called Lords of Erection, Titulars, etc. These tithes were paid in kind, from the produce of the land. Those to whom grants were made from the tithes were bound to support the officiating minister, to the extent that the Legislature declared a sufficient stipend. In 1629, the mode of paying tithes in kind was commuted. All parties who claimed a right to the tithes, or teinds, entered into submission to the king. Those who did so were the Lords of Erection and Titulars, the Bishops and Clergy, the Taxmen of Teinds, and the Royal Burghs, to which grants of

1. Alexander, "Wardlaw's Life and Correspondence, p 368

Teinds had been made for the endowment of ministers, colleges, and pious uses. Out of the income of the teinds, the proprietors were liable to supply a reasonable stipend for the minister, keep the church in repair, and to build additional churches, and to supply the endowment for the new parish from the unexhausted teinds.¹ The unexhausted teinds were the amount of the teinds over the amount which was paid out in stipend. This last point was a point of dispute, as the law after the Union of Scotland and England, had made the consent of heritors possessing three-fourths of the value of the land of a parish necessary before it could be divided by the court of Session, acting as a teind court. At this point, however, the comments of the "Scotsman" newspaper for February 21, 1838, on the third Report of the Royal Commissioners give the best outline of the subject as it stood at that time. It said:

"Regarding the ordinary teinds belonging to private heritors, the report says, 'That the annual value of the gross parsonage or greater teinds belonging to other persons than the Crown is 281,384 pounds; that the value of these at present appropriated to payment of ministers' stipend is 146,942 pounds; and that the value of the gross unappropriated teinds belonging to other persons than the Crown is 138,186 pounds.' The discrepancy between the additions of these sums is explained to have arisen chiefly from certain documents having been lost; and the Commissioners express an opinion that, on the whole, the gross amount is understated rather than overstated. But this discrepancy is very unimportant compared with the fact

1. M'Laren, "Speech on Bishops' Teinds."

here announced, that the unappropriated, or unexhausted teinds belonging to the lairds, chiefly tories.... amount to the enormous sum of 138,186 pounds annually, and that the whole of this fund is liable for church-extension purposes before any claim, either in law or equity, can be made upon the bishops' teinds.' On this subject the Commissioners shall be allowed to speak for themselves.

"The order in which teinds of a parish are liable for payment of existing stipends, and also for future augmentations, is as follows:-

"1st, Teinds which have never been affected by any grant in favour of a layman.

"2nd, Teinds in the hands of titulars, that is, teinds which are levied by the titulars out of the lands of others, including the tack-duties or rents drawn by the titulars for teinds let on lease, and the feu-duties payable by parties having right to their own teinds and holding them under the titular as superior.

"3rd, Teinds held in lease

"4th, Teinds to which heritable rights have been granted by the titular, and the teinds of the titular's own lands.

"5th, Bishops' teinds, with this exception, that teinds acquired by bishops after the Reformation, are not classed as such, but are localled on in the order in which they would have been liable, if still in the hands of those to whom they previously belonged. This accounts for the facts, appearing in some parts of the annexed table, that, in certain cases, bishops' teinds in the hands of the Crown, are allocated upon, earlier

than they appear in this statement of the general rule.

"'6th, Teinds belonging to colleges or universities, or appropriated to pious uses. In this class are included the teinds which formerly belonged to the Chapel-Royal.'

"It is evident from the above quotation, that, with the exception of the teinds appropriated to colleges and pious use, which are of very small amount, the bishops' teinds belonging to the crown are the last on which any claim can be made; and hence, if new endowments are required, which we do not admit, that all the teinds in the hands of the heritors, amounting, as before stated to the annual sum of 138,186 pounds, must be exhausted before the bishops' teinds could be justly chargeable with a single shilling for church-extension purposes.

"It may perhaps be objected, that the above order of allocating the claims of the church applies only to existing stipends, and that stipends for ministers of newly erected parishes are not chargeable on these teinds, or not chargeable in the same order as the stipends of the present parochial ministers. But all such objections are utterly groundless. The report shows that the present heritors purchased their teinds from the original successors of the Romish church - the titulars, lords of erection, &c - at a few years' valuation, on the express condition that they were always to be chargeable with the stipends of any number of ministers that might afterwards be appointed at the discretion of Parliamentary commissioners, who had power to divide parishes as they should think fit, without consulting the heritors. And whenever a parish was divided

by the commission, the new stipend became payable out of the unexhausted teinds as a matter of right, in the same manner, and according to the same order of allocation, as the stipend of the minister of the original parish before it was divided. The same power of dividing parishes still exists, and is subject to the same conditions regarding the payment of stipend and the allocation of teinds. The law of the present day is, that whenever a parish is divided by authority of the court of teinds, and a new church erected, the stipends of the new minister becomes payable from the teinds of those lands which have been formed into the new parish; but all the teinds belonging to heritors must be completely exhausted before any part of the stipend becomes chargeable on the bishops' teinds, belonging to the crown. No man who knows any thing about the matter, doubts or can doubt that this is the law at present. All that is required to put the law in force, is a formal admission by the heritors of three-fourths in value of the lands of a parish that an additional church is required; and with this admission communicated to the court of teinds, the law takes effect without the exercise of any discretionary power on the part of the court. The minister of the newly-erected church and his successors in perpetuity, thereafter become entitled to all the rights, privileges, and powers of the other parochial ministers."

The same article goes on to point out that one person might own three-fourths in value of the lands of a parish, and in many instances the consent of this one person alone would

1. "Scotsman" - Comment on the Report of the Royal Commissioners.
Feb 21, 1838

be enough to assure a new church, and an endowed stipend for its minister. Selecting various local parishes, it gave the amount of the unexhausted teind in each. It then says:

"In the above forty parishes which we have selected, and in which fifty-six of the new churches with quoad sacra parishes have been erected, the unexhausted teinds belonging to heritors amount to the enormous sum of 36,094 pounds per annum!!! If we had room, we could produce a very long list of other parishes in which new churches have been erected, having large sums of unexhausted teinds. The general result regarding the whole of Scotland is, that there are 402 parishes in which the teinds have been completely exhausted, and 470 in which there are unexhausted teinds. Of the former class of parishes, the teinds of nearly one-half do not afford the minimum stipend.... the deficiency being annually made up from the Exchequer.

"It is worthy of remark, that since the passing of the Act of 1707, giving the heritors a veto on the disjunction of parishes and endowment of additional churches, they have put a complete extinguisher on church-extension, in order that they might pocket the surplus teinds. On this subject the commissioners observe, 'there are very few instances of such disjunctions having been made since the date of this Act, although previous to it they had frequently occurred.' It is evident from this that, if there be a destitution of church accommodation and pastoral superintendence, the heritors are the parties who have occasioned this destitution by using the power conferred on them in trust for the promotion of public

interests, by the Act of 1707, as the means of promoting their own pecuniary interests. The heritors have improperly realized millions from the teinds since 1707; and they now come forward affecting to bewail the alleged destitution, and, with matchless effrontery, demanding endowments from the public funds! "

While the "Scotsman" was objecting on the grounds of the necessity of the grant, the Dissenting churches were gathering their forces, to make their objections heard in Parliament. As Dr. Heugh's letter stated, the United Secession and the Relief held extraordinary meetings, to consider the matter of endowments. The Congregational Union also met to consider the subject. Various deputations were appointed, with the Rev. Dr. Beattie, and the Rev. Messrs Harper and King from the United Associate synod, the Rev. Drs. Heugh and Wardlaw (along with the Rev. Mr. Harper), from the Scottish Central Board for vindicating the rights of Dissenters, and the Rev. Mr. French, from the Relief Church. These deputies proceeded to London, and working in concert, saw many of the leading personages in Government, both of the party in power, and of the opposition.^{1.}

Of the duties of the delegation, Dr. Heugh wrote on March 17, "Here you see I still am, well and stout; and I would need to be so, for our duties here are no sinecure. We have had long interviews with all the principal people, Brougham, Durham &c, among the outs; Melbourne, Russell, Ellice, Stewart, Minto &c among the ins...."^{2.}

1. M'Kerrow's Secession Church, p 756

2. MacGill, "Life of Hugh Heugh", p 315

At the same time, a deputation from the Church Extension Committee was in London, seeking a furthering of the cause of endowments. Dr. Chalmers was prevented from going with them by a private intimation that the Government considered him to be its enemy (could the strong remonstrance to Melbourne, at the failure of the first Endowment attempt, have been partly or wholly the cause?).¹ The deputation did its work as best it could, however. This, in spite of the fact that just as they arrived, the Government announced its decision. The outline of that decision was: 1. That the Bishops' teinds should be applied in providing for the religious destitution existing in certain Highland and rural parishes, having no unexhausted teinds; 2, That an alteration should be made in the Act of 1707, respecting the division of parishes in Scotland, so as to afford increased facilities for the application of unexhausted teinds which were in the hands of private proprietors, to relieve the destitution of such rural parishes as had unexhausted teinds belonging to them; 3, That nothing should be done for the towns; that no grant should be made from any source to provide additional means of religious instruction for them.

The delegation tried to secure some changes of these terms, protesting that the first would yield but limited revenue, that the second was contrary to the best legal opinion of Scotland, and that the third was opposed to their principles. The government was also accused of abandoning the principle of an establishment, if this plan were carried through. To this, Lord Melbourne replied, "That, gentlemen, is your inference. You

1. See pages 161-164. Chap. V.

may not be the better for our plan, but - hang it - you cannot
surely be worse.^{1.}"

So ended the attempt to secure Government endowment for the churches. The dissenting opinions prevailed, though the government gave its nominal allegiance to the principle of an establishment. As a result of the controversy, the Church of Scotland turned to its own people for its support.

1. Hanna, "Memoirs of Dr. Chalmers," Vol IV, p 22,23

Chapter VII

"The Great Question" - Relation of Church and State

"The real question which now divides the country, and which truly divides the House of Commons, is Church or no Church. People talk of the war in Spain and the Canada question, but all that is of little moment. The real question is Church or no Church; and the majority of the House of Commons - a small majority it is true, but still a majority, are practically against it." Thus the Duke of Wellington, in 1838 summed up the question of the relationship of Church and State.^{1.} It was a major question of the day, and was to become even more acute in the years immediately following.

In 1843, one of the major issues of the Voluntary Controversy reached its climax, and resulted in the Disruption of the Free Church from the Scottish Establishment. That issue was the spiritual independence of the church, and the Voluntary Controversy played no small part in the firming of opinions of Churchmen. It was the Voluntary statement of their lack of independence, which led Churchmen to assert so vehemently their belief in their freedom from State control. It was the strength and sureness of these opinions, in the face of court decisions to the contrary, which led to the Claim of Right, and to the stirring scenes of the Disruption.

In the Voluntary Controversy, that issue of the independence of the Church was discussed under the terms of the power of the Civil Magistrate, in relation to the Church, From the

1. Hanna, Memoirs of Dr. Chalmers, Vol iv, p 35

beginning statement that Establishments had a "tendency to secularize" the Church, the conviction grew on the Voluntaries, that a State Church must be under the control of the State, and must subordinate things spiritual to the civil power.^{1.}

In the sermon in which he fired the opening shot of the Controversy, the Rev. Andrew Marshall contended that a religious establishment tends to secularize the church of Christ. He said that the church is a spiritual society, a kingdom not of this world. It is a society composed of spiritual persons, men who believe the truth as it is in Jesus; who have been born again of the water and the Spirit; who have 'come out' and 'separated' themselves in obedience to Jesus' call. It is a society united for spiritual purposes, that the members of it may be helpers of each other's job; that they may strive together for the faith of the gospel, and hold forth the word of life; that they may make all men see what is the fellowship of the mystery which from the beginning of the world has been hid in God; that they may show forth the praises of him who called them out of darkness into light; and that they may all come into the unity of the faith, and the knowledge of the Son of God, to a perfect man, to the measure of the stature of the fulness of Christ. And above all, it is a society placed under a spiritual government, and regulated by spiritual laws, which Jesus alone can administer, since they affect not only the external conduct, but also the conscience and the heart, and must be observed willingly, if observed at all.

1. Brown, "Church and State in Scotland", p 144,145

Civil authority cannot either erect or maintain such a society as this, nor can it add one member to it whom Christ has not added, nor bestow one benefit on it which Christ has not bestowed. Any alliance between such a society and the state can be productive only of injury to the former. It can only tend to debase its character, to hurt its spirituality, to taint its purity, and to defeat, more or less, the great objects which the church contemplates. A brief examination of any religious establishment will reveal this. Take that which is found in Scotland, perhaps the humblest and purest of all, and see if there is not discovered there more of an earthly than of a spiritual society - more of the kingdoms of this world than of the kingdom of God - more of a scheme for uniting men of all classes and descriptions, religious and irreligious, converted and unconverted, in one outward profession, than a scheme for 'turning sinners from the errors of their way', or for 'perfecting the saints', or for 'edifying the body of Christ'? Of what sort is a church which is commensurate in its extent with the natural boundaries of the country where it happens to exist - which teaches pastors and people to distinguish the flock by the landmarks of a parish - or which takes the whole population, great and small, godly or profane, residing within certain territorial limits, and commits their souls to some ecclesiastical functionary as his spiritual cure? What kind of a church must that be, which though it names the name of Jesus, and professes to bow to the authority of Jesus, yet employs another authority to stamp

its doctrines and institutions, and another name to sanction its proceedings - whose revenues are all derived from the state - and whose ministers are either appointed by the state, or by some species of patronage, which the state, for the most part, manages to control.^{1.}

The claim of the dependence of the Church on the State for her doctrines and institutions, revenues, and selection of ministers, is carried yet a step farther in the Rev. Mr. Marshall's reply to the review by Dr. Andrew Thomson in the "Christian Instructor." There he asserts that the Established Church is compelled by Acts of Parliament, defining the parish limits, to admit to its ordinances those who may not be Christian, provided they are not grossly immoral.

There, he says that the impurity which adheres to the established churches is fundamental and incurable. It is involved in the very principle on which they are erected. It is a disease which has infected the entire fabric from top to bottom, stones, timber, and mortar, and which can only be eradicated by the whole being taken down. Does not everyone having a fixed residence in the parish, provided he is free from scandal, have the right to claim the privileges of a Christian? May he not demand that baptism be administered to his children, or that he himself receive the Lord's Supper? And were he to do so, neither ministers nor elders, whatever objections they might have to him otherwise, could refuse his claim, unless they considered him grossly ignorant or immoral. This means

1. Marshall, A. "Ecclesiastical Establishments Considered" p 32-34 (see Chapter I ,pages 19-21)

that the established churches are not voluntary societies; that the office-bearers of such churches, in conducting their affairs, even though they be conscientious men, are not at liberty to consult their consciences; that the distinction between the world and the church is totally destroyed - that the limits of the church are exactly commensurate with the limits of the parish, and that the Act of Parliament, that defines the one, likewise defines the other.^{1.}

This view was picked up, and carried to an even further position by Andrew Coventry Dick, who undertook to prove that an Ecclesiastical Establishment "must be more or less Erastian; that is that a Church which is endowed and established must give up part at least of its native freedom and be subjected to the State."^{2.} This position was seized upon by many of the voluntary lecturers, and it became one of the rallying cries of opposition to the establishment.

An example of the approach of the Voluntary Lectures is to be seen in that given by the Rev. William Auld in the Relief Church in Greenock. There, his first point is that "Liberty of conscience is the unalienable birthright of every man, which he cannot transfer to another - which no man has a right to take from him - no man can exercise for him; but which he is bound to exercise for himself, as he shall answer for himself to God! that the Civil Magistrate in prescribing a national creed and form of worship, and appointing a national clergy - enforcing all by civil pains on the one hand, or by

1. Marshall, "Letter to Rev. A. Thomson, D.D." p 73, 74

2. Report of Meeting of Voluntary Association, 1834, p 33

civil privileges on the other - of if Dissenters are tolerated, compelling them to support what they conscientiously disapprove, or tempting them to profess what they do not believe, encroaches on the rights of men and on the prerogatives of God.^{1.}

He contends that the Scottish Church was given its creed by the state, and that its ministers were supported unwillingly by Dissenters, who were degraded in their citizenship because of their beliefs. His second point was that the Civil Magistrate was not qualified to prescribe what his subjects were to believe concerning God, or how they should worship him. In spite of his lack of qualification, the Church of England elevates him to a place over the church, and the Church of Scotland gives him, in the confession of faith, the same power.

In his third point, he says: " That although the Civil Magistrate were under infallible guidance to distinguish truth from error, the peculiar influence which he, as a magistrate, can employ, whether pains and penalties on the one hand, or State favours on the other, must be injurious to true religion: it is not the influence by which the truth is promoted, but that by which it is corrupted; not the influence for making sincere Christians, but for making worldly professors and hypocrites."^{2.}

The fourth point was, "That the Civil Magistrate, in establishing a national creed, and endowing a particular sect, out of the national treasury, though all other sects be tolerated, acts a part contrary to righteousness as to truth, and as incompatible with the peace of the State, as with the spiritual-

1. Auld, Wm. "Power of the Civil Magistrate in Religion"
2. *ibid.*

ity of the Church. It tends to create and perpetuate schism^{1.}
in the Church, and faction in the State."

It was this third point particularly which Churchmen denied. With all of the ardour of their souls, they pretest-
ed against the idea that contact of Church and State tended
to pervert Christianity. They spoke for the responsibility
of the Civil Magistrate, and contended at the same time that
the Church had kept its spiritual independence, that Christ
was the head of the Church, and the Church was free to do the
will of Christ.

The Voluntaries, however, were not all one in their in-
terpretation of the place of the Civil Magistrate. One group
would have allowed the Civil Magistrate a limited function in
religion. The other would have allowed him no place at all.
The ultimate expression of the extreme group, perhaps, is to
be found in the lectures which Dr. Wardlaw gave in London in
1839 in reply to the lectures on Establishments which Dr. Chal-
mers had given in that same city the year before. In the
fourth lecture, on the province of the Magistrate, he says:

"...The very designation of a civil magistrate
ought to be understood as defining his official func-
tions, and limiting them to the civil department. When
he comes upon religious ground, he steps beyond his
province. All that is properly religious lies between
God and the conscience. No human authority is entitled
to interfere with it. If, while we are, conscientiously
and cheerfully, 'rendering unto Caesar the things which
are Caesar's', Caesar should overstep the limit of his
commission, and demand of us, in one jot or tittle,
'the things that are God's', in such a case, disobey-
ing Caesar is not disobeying the God who had enjoined
submission to Caesar; because, in going beyond his
legitimate boundary, Caesar himself is the transgressor;-

1. Auld, Wm, "Power of the Civil Magistrate in Religion"

He has interfered with what did not belong to him; he has presumptuously intruded into the province of the King of kings; - and if he transgresses in commanding, it can never follow that we should sanction and share his transgression by obeying.

It is a most important principle on the present subject, that the right of rulers to enact must be coincident in extent with the obligation of subjects to obey. Religion is a matter in which no man can be under obligation to obey a fellow-man; and for this reason, it is a matter in which no man can have a right to enact for a fellow-man. The right cannot go beyond the obligation. If it could, there would be two obligations imposed on the unfortunate subject of Caesar and of God, - by both of which he is bound, and yet both of which, contradictory as they are of each other, it is impossible to fulfil! The authority of civil rulers, moreover, involves the power of coercion, - that is, of compulsion by penalty. The sword is the only instrument of that power, and to the extent to which the power legitimately reaches, the sword must not be borne in vain. But religion admits not of coercion. The two terms can never be made to comport. The one belongs to heaven, the other to earth; and they are, in their natures, as far asunder. They mutually neutralize and destroy each other. Where coercion begins, religion ends. All compulsion here is impiety, - a profane and presumptuous usurpation of the paramount rights of Deity, - an overt act of treason against the Supreme Ruler, - an attempt to force one of his subjects to withdraw his allegiance from Him and give it to another - to a creature, to a dependent! Were some underling of a mighty prince to claim for himself, and threaten to exact by severe penalties, the homage which the laws appropriate to the prince himself, he would be chargeable with a presumption less flagrant, even by infinitude, than that of which the prince is guilty, in compelling obedience to his enactments on the part of those who, in their consciences, regard such obedience as involving in it the 'rendering to Caesar the things that are God's' - the abstraction, for the honour of a human master, of what is due exclusively to the Divine. The civil magistrate can have no power in religion; because the power which belongs to him is, in its very nature coercive, - and in religion such power is inconsistent with its very nature, and incapable of being exercised.

Meantime, I must close, by answering explicitly to the question - What is the magistrate's province in regard to religion? - that his true and legitimate province is - to have no province at all. As a man, he

is bound to believe the truths, and obey the precepts, of the word of God: - as a magistrate, he is bound to fulfil all his official functions on Christian principles, from Christian motives, and according to Christian precepts, - as every man is, in every condition and every relation of life: - but authority in religion he has none. Religion has authority over him, - the same as it has over all; but in it, or over it, or over his subjects in aught that pertains to it, his authority is null. If he exercises it, it is the exercise of power without right. The example and influence of a truly religious king may be eminently and extensively beneficial; - but the sword must be confined to the civil department, as that which alone comes within his appropriate jurisdiction. In all that relates to religion, the command of Him whose exclusive dominion is over the conscience and the heart would be - 'Put up thy sword into the sheath.'¹

The less extreme position on the voluntary side is taken by Dr. William Lindsay Alexander, in his biography of Dr. Wardlaw. There he criticises the position taken by Wardlaw as extreme, and suggests that while the Magistrate does have something to do with religion, that something must be based on the teaching of the Bible. This teaching will lead him to see that there is no scriptural basis for establishments.

In his comments, he says that the conclusion of Dr. Wardlaw is the extreme one of Voluntaryism, that 'the true and legitimate province of the Magistrate in regard to religion is to have no province at all.' The grounds on which Dr. Wardlaw has rested his conclusion, are, in the first instance, on the assertion that Scripture has confined the Magistrate's function within the sphere of civil matters. But, if the Magistrate has no province in regard to religion at all, with what consistency can he be appealed to the Bible, the standards of truth and duty, to determine what his proper province is? Or, if he

1. Wardlaw, R., "National Church Establishments Examined", p45, 46

may be summoned legitimately, as a magistrate, to learn his functions from the Bible, how can it be justly said that he has nothing whatever, as a magistrate to do with religion? And what does the Bible say in regard to the functions of the civil magistrate? Here, he finds Dr. Wardlaw far from being explicit. The latter asserts the incompetency of the Civil Magistrate to decide for his subjects what is religious truth,, and constantly affirms that all that is properly religious lies between God and the conscience. However, no advocate of civil establishments of religion will deny or question either of these positions. All he will plead for is, that the Magistrate may lawfully, for the great ends of civil government, provide the means of religiously educating the people - a claim which neither interferes between the conscience of the people and God, nor assumes to determine for the people what is truth in religion. It would not be fair to represent men of Dr. Chalmers' way of thinking on this subject, as if they contended for the right of magistrates to compel men to believe, or pretend to believe, given dogmas. All they assert is the right of the Magistrate to make provision for the religious instruction of the community, leaving it free to all to accept that instruction or not as they please. The negative cannot be maintained, as an abstract general principle, without reducing the functions of the Civil Magistrate to those of a mere policeman, set up to enforce the will of the majority. If governments are to proceed on the recognition of moral distinctions - if they are bound to enact only what is consistent with moral

truth - if, above all, they are to receive and obey the Bible, and recognize its declarations in their enactments, they not only have a province in regard to religion, but it very greatly concerns them that their subjects should be instructed in those principles which can alone enable them to appreciate rightly such legislation. Further, if government is to be regarded in the light of a trust placed in the hands of the Magistrate for the welfare of the community - not merely for their protection, but their welfare in the healthy development of all their faculties of social improvement - it is unreasonable to forbid the Magistrate to use the only means by which such a result can be certainly attained. Of the tyranny which ties a man to an end, but refuses to him the means by which alone that can be reached, are those theoretically guilty who would bind the Magistrate to secure the order and well-being of the community, and yet forbid him under any circumstances to provide that education by which alone this end can be effectually secured.

Those who take the extreme view adopted by Dr. Wardlaw, lay stress on the question, who is to determine what is to be taught for religious truth to the community? There is no doubt a difficulty here; but it is one which has been immensely exaggerated both theoretically and practically. In Britain, the omniscience of Parliament is as much a principle of government as its omnipotence. It continually is called to pronounce decisions involving the assumption of all but infallible capacity for determining the truth. Why should such a body, in whose

powers of ascertaining truth in all other departments of knowledge the community implicitly confides, be pronounced helplessly incompetent in the department of theological truth? Possibly Parliament may err in the opinions it may authorize to be taught the people; but the possibility of this is not so great as to render it incompetent for Parliament to make the attempt. And if liberty is left to all who choose to dissent from the opinions taught by the government teachers, every freedom seems to be secured to the community which can be required on the grounds of general policy.

The proper line of argument on this subject seems to be that of those who admit that the Magistrate as such has to do with religion. On the ground of this, they summon him to the Bible, that he may learn there what true religion is, and what he may legitimately do in regard to its interests. They admit his obligations to provide for the moral and religious education of the community, but stipulate that, as in this the Bible is his authority, he shall scrupulously refrain from infringing upon any of its prescriptions or on any of the rights conferred by it on the people of Christ, in the scheme and apparatus of religious education he sets to work. When agreed on these, the next question of moment is, what the Scripture says on the subject of establishments and endowments as a mode of promoting the religious education of the community? Here, he thinks, the reasonings of Dr. Wardlaw are valuable, as they show that such institutions cannot be set up without doing violence to express injunctions of Scripture, and superseding

chartered rights of the followers of Christ, and bringing in-
numerable evils on the Christian cause.^{1.}

Alexander thus does not believe in the rightfulness of the Establishment, but he disbelieves on Biblical grounds alone. He criticises Wardlaw for his extreme views, in believing that there is nothing in religion with which the Magistrate has to do. It is the position of Wardlaw, rather than Alexander, however which burned in the hearts of churchmen - that the church was corrupted by its contact with the Civil Magistrate.

Against the vehemence of the ultra-voluntaries, the Churchmen replied with vigor. To the voluntaries' contention that any relationship with the state meant the use of compulsion in favor of the church, they replied that all they were seeking was the sponsorship of a system of religious instruction. To the charge that contact between Church and State meant necessary corruption, they replied with their doctrine of the Spiritual Independence of the Church. When taunted with their connection with the civil magistrate, they replied that it was their pride.

The outstanding example of this, is to be seen in the lectures which were delivered by Dr. Chalmers in London on Church Establishments. On the day in which he was to deal with the relationship of the Church and the Civil Magistrate, he was asked if he did not feel that he was coming onto delicate ground. His reply was, "No, it is the most important point

1. Alexander, "Wardlaw's Life and Correspondence", p384-387

of the whole discussion; it is the basis and strength of my whole argument: without it I could not have opened my mouth on the subject; and if there be any one of these lectures on which my mind is clearer and more made up than another, it is on the one I am going to deliver today.^{1.}"

In that lecture, Dr. Chalmers refers to a conversation which he had with an American Clergyman, in which he had explained what he meant by an Establishment. He then says, "The rejoinder upon this was a very memorable one. 'If all you mean by an Establishment is an organized provision for a clergy, we should rejoice in it. If this be the whole amount of the connection between church and state - if maintenance and nothing else come from one quarter, and an unfettered theology from the other, without contamination from the authority of man, but subject only to an ecclesiastical judgment, grounded on a principle of deference to the Word of God - a simple arrangement of this sort is truly different from what we understand by a Religious Establishment. The thing we deprecate is the authority of the civil magistrate in matters of religion; but we should be thankful to him or to any one else, for giving us what he termed an organized provision for clergymen.' Now this organized provision is truly all that we contend for. It is just, in other words, a legal provision for the support of a Christian ministry - an arrangement which might truly be gone into, and which actually is gone into, without the slightest infringement on the spiritual prerogatives of the church, or on the ecclesiastical independence of her clergymen. It is obvious

1. Hanna, "Memoirs of Dr. Chalmers", Vol iv, p 44

from all this, that the indignation of our transatlantic friend was directed against a wrong object; and that he failed in making a requisite distinction between the act of a government in giving food and raiment to ministers, and an act of government in assuming a lordship over the creed and consciences of ministers. But it is not amid the din and uproar of public acclamations that men can be expected to distinguish very clearly between the things which differ. When an orator denounces the connection between church and state, the effect is instantaneous on all those who, without logic and without discrimination, are carried along by the deafening outcries, and no less deafening plaudits, of an assembly, amid the noise and excitement of which, the still small voice of truth is overborne.^{1.}

It was at this point that Dr. Chalmers drew from one of his sermons of the past to produce a memorable impression of eloquence and whirlwind^{2.} enthusiasm. In defending the Church and her spiritual independence, he said:

"In respect of this ecclesiastical independence I am not aware of any serious practical obstacle to the exercise of it in England; and, at all events, we know of nothing more perfect in this respect than the constitution of the Church of Scotland. There is, to each of its members, an independent voice from within; and from without, there is no power or authority whatever in matters ecclesiastical. They who feel dislike to an establishment do so, in general, because of their recoil from all contact and communication with the state. We have no other communication with the state than that of being maintained by it, after which we are left to regulate the proceedings of our great home mission with all the purity and the piety and the independence of any missionary board. We are exposed to nothing from without which can violate the sanctity of the apostolical character, if ourselves do not violate it. And neither are we exposed to aught which can trench on

1. Chalmers, "Lectures on Religious Establishments" p18

2. Watt, "Chalmers and the Disruption", p 106, note 107

the authority of the apostolic office, if ourselves we make no surrender of it. In things ecclesiastical we decide all. Some of these things may be done wrong, but still they are our majorities which do it. They are not, they cannot, be forced upon us from without. We own no head of the church but the Lord Jesus Christ. Whatever is done ecclesiastically, is done by our ministers acting in His name, and in perfect submission to His authority. Implicated as the church and the state are imagined to be, they are not so implicated as that, without the concurrence of the ecclesiastical courts, a full and final effect can be given to any proceeding by which the good of Christianity and the religion of our people may be effected. There is not a clerical appointment which can take place in any one of our parishes till we have sustained it. Even the law of patronage, right or wrong, is in force, not by the power of the state, but by the permission of the church, and with all its fancied omnipotence, has no other basis than that of our majorities to rest upon. It should never be forgotten that, in things ecclesiastical, the highest power of our church is amenable to no higher power on earth for its decisions. It can exclude, it can deprive, it can depose, at pleasure. External force might make an obnoxious individual the holder of a benefice; but there is no external force in these realms that could make him a minister of the Church of Scotland. There is not one thing which the state can do to our independence and indestructible church but strip her of her temporalities. Nec Tamen Consumebatur, she would remain a church notwithstanding - as strong as ever in the props of her own moral and inherent greatness; and, though shrivelled in all her dimensions by the moral injury inflicted on many thousands of families, she would be at least as strong as ever in the reverence of her country's population. She was as much a church in her days of suffering as in her days of outward security and triumph; when a wandering outcast, with nought but the mountain breezes to play around her, and nought but the caves of the earth to shelter her, as now, when admitted to the bowers of an establishment. The magistrate might withdraw his protection, and she cease to be an establishment any longer - but in all the high matters of sacred and spiritual jurisdiction, she would be the same as before. With or without an establishment, she, in these, is the unfettered mistress of her doings. The king by himself, or by his representatives, might be the spectator of our proceedings; but what Lord Chatham said of the poor man's house, is true in all its parts of the church to which I have the honour to belong. - "In England every man's house is his castle - not that it is surrounded with walls and battlements. It may be a straw-built shed. Every wind may whistle round it; every element of heaven may enter it, but the king cannot - the King dare not."¹

The Moderates expressed themselves through the pen of Dr. Inglis, writing in 1834. Answering the accusation that the connection of church and state must result in the corruption of the church, he said, "The Kingdom of Christ is not only spiritual and heavenly, but also independent. No earthly government has a right to overrule or control it..... If any civil Government under pretence of providing for the welfare of Christ's spiritual kingdom shall usurp its peculiar and appropriate jurisdiction; if civil Government shall attempt to direct the appropriate concerns of the visible Church of Christ by either superseding or controlling its separate and independent power, that Government is so far an adversary of Christ and of His cause in the world. But if the Civil Government shall, on the contrary, abstain from intermeddling about such matters, and shall notwithstanding contribute its outward aid towards the maintenance of religious ordinances in the way which the office-bearers of the Church have themselves approved and appointed; if it shall so provide for the temporal wants of the ministers of Christ as to enable them to devote their whole time and labour to the exercise of their spiritual functions, and shall by the same means extend the benefit of religious ordinances more equally and effectually to all who are under their charge - shall these things be regarded as sub-^{1.}versive of the independence of Christ's spiritual kingdom?

On the question of the Civil Magistrate, both the Voluntaries and the Churchmen considered the matter of the spiritual independence of the church as vital. The Voluntaries declared

1. Inglis, J. "Vindication of Ecclesiastical Establishments" p90

that the state-established Church did not have independence. The Churchmen asserted that it did. Independence meant allegiance to Christ, and Churchmen were unwilling to say that they had sacrificed that allegiance for the sake of State support. Some of them occupied the ground which Dr. Chalmers held with his belief in the complete independence of the Church. Others modified this belief, holding that while the Church of Christ is independent, the practical solution of its relation to the State might modify that independence in some respects.^{1.} The stated belief of Dr. Chalmers, that the Church had the power to act in all things ecclesiastical by her own majorities, was held by many of the Evangelical party of the church. It had been made more firm and sure by the challenge of the Voluntaries.

It soon became evident that the state did not hold the same views of independence as did members of the church. In a series of legal decisions, beginning with the Auchterarder case in 1838, the Court of Session reversed the claims which the church had been making as to its independence of the state.

Taylor² has pointed out that the issue of the independence of the Church had not been wrought out until this time. It had been vehemently asserted by Churchmen. But it had been carefully skirted by both parties, neither of whom wished to bring the matter to an issue. Now, it became evident that the State did not hold the same views as the Church. To the State, its own law was supreme. It could speak of the independence of the Church, but it meant an independence within its

1. Bryce, "Ten Years of the Church of Scotland" p 66

own jurisdiction. When it came to the supreme question of the Church's right to legislate in its own interests, the State denied the existence of that right.^{1.} They held that the powers of the Church were derived from and dependent upon the State.^{2.} They insisted that the State had a right and interest to enforce obedience upon the Church of all the conditions of the contract between the two, as the courts of law should interpret them. According to the decisions rendered, the law of the land, and not the Law of Christ, was the supreme power.^{3.} The idea of the Church of Scotland as an independent and originally separate body was emphatically rejected by the bench and by the House of Lords.^{4.} The courts asserted the indissoluble connection of a religious function of the State with the State itself. This is Erastianism, with its belief that the religion of the people is a function of the State, and that the Church is simply one of the arms of the State in the doing of its duty. In these decisions, the inner tension of Calvinism between the idea of Independence and that of National Responsibility, between Holy Community and Established Church, had become fully evident and thrown the Church into conflict with the inherent Erastianism of the State.

The controversy which developed is properly the Non-intrusion Controversy, but carries the practical result of the controversy over the powers of the Civil Magistrate. Our purpose here is not to trace the results of those decisions, but simply

1. Taylor, "The Law of Creeds in Scotland", p 65

2. *ibid*, p 71

3. *ibid*, p 78

4. *ibid*, p 87

to see them in the light of the discussion, which had produced them, over the powers of the Civil Magistrate in the relation of Church and State.

In this series of court decisions, the Auchterarder case set forth the claim that the church was not at liberty to consult the wishes of the congregation upon whom a minister was to be settled, and to let those wishes guide their action. In laying the basis for this decision, the Court of Session declared that the only authority of the Church which the court could recognize was derived from the State. In the Marnoch case, they claimed the right to dictate to the Church as to what was required, or not required, in the act of ordination.^{1.} In the Lethendy case, the power of the Court of Session over a presbytery and its act of ordination was asserted, even over the action of the General Assembly.^{2.} In the tangle which resulted from the Marnoch case, with the Presbytery of Strathbogie, the Court claimed the power to annul the action of the General Assembly suspending ministers from their functions.^{3.} In the Gulsamond case, the Court claimed the power to supervise the right of the Church to suspend a minister, on the ground that it affected his civil rights.^{4.} In its decisions over the Chapel Act, the Court in effect said that the Church did not have the right to determine its own membership, or to make provision for the extension of the gospel.^{5.}

1. Brown, "Church and State in Scotland", p153-155
2. Watt, "Thomas Chalmers and the Disruption", p186-188
3. Brown, "Church and State in Scotland", p 155
4. Watt, "Thomas Chalmers and the Disruption", p238
5. Brown, "Church and State in Scotland", p 157

The first of these cases, the Auchterarder, began as a result of the operation of the Veto Act, which had been passed by the General Assembly of 1834. In the attempt to meet the outcry against patronage, and yet not to offend the patrons of the church too greatly, the expedient of non-intrusion had been adopted. It was thought that since the conditions of ordination and installation of a minister were in the hands of the church, they could extend them to include the wishes of the congregation as to the minister who had been presented by the patron. Under the Veto Act, a majority of the parishoners could dissent from a presentation, and the Presbytery would be bound to uphold that objection as valid, and require the Patron to submit another presentee for the consideration of the congregation.

In August 1834 the parish of Auchterarder became vacant at the death of its minister. The Earl of Kinnoul, the patron, presented a Mr. Robert Young, of Dundee, to the October meeting of Presbytery. Mr. Young preached two Sundays to the congregation in the parish church. In December, a meeting was held to moderate the call. Only two parishioners, out of a large meeting, came forward to sign the call, and a third signature was added by mandate of the patron. When the opportunity for dissents was given, two hundred and eighty seven out of three hundred thirty male heads of families came forward. At a meeting two weeks later, one of these dissents was withdrawn, and Presbytery had a call with three names on it, and a dissent with two hundred eighty six names. In accordance with the Act

anent Calls, the Veto Act, the Presbytery, after delay and appeal, over alleged irregularities in the roll, to Synod and the Assembly, rejected the presentation. This was appealed to the Synod.

At this stage, legal advisers were changed, and the Dean of Faculty, Mr. John Hope, who had dissented in the 1834 Assembly over the legality of the Veto Act, took charge of Mr. Young's case. He took the case to the civil courts, at first seeking the stipend of the parish for his client, and then amending his plea to request the Court of Session to find the Presbytery wrong in obeying the General Assembly, and that they must now ordain and install the presentee in order that he might have the legal title to occupy the manse and glebe, and to collect the stipend.

At the hearing of the case, which was argued in November 1837 before a bench of thirteen judges and lasted for three weeks, there were two opposing lines of argument. The Solicitor-General argued that the Church did have the right to regulate calls, and that the Church, patrons and presentees had always considered the act of 1712 restoring patronage, as leaving room for the concurrence of the people. In opposition, the Dean of Faculty argued that the Church could have no power outside of the relevant statutes, strictly interpreted. It was on the basis of law alone, interpreted by statute law alone that he contended that the Church had exceeded its authority in making the Veto Law. He requested the court to compel the Presbytery to act in terms of the statute law, from which it

derived its powers.

The argument of the Dean of Faculty won the day, and the Lord President, his father, followed his lead in presenting^{1.} his argument. The speech of the Lord President, as reported, said:

"His Lordship then proceeded to state, that the case before them involved the question whether or not the Act of the General Assembly under which the Presbytery of Auchterarder acted, in refusing to induct the Rev. Mr. Young, Lord Kinnoul's presentee, as minister of the church and parish of Auchterarder, and by which the pursuer's (Lord Kinnoul's) patrimony was said to be trenched upon and injured, was, or was not, within the power of the General Assembly. This question, he said, was not new to him. He had occasion several years ago, when he had the honour to be a member of the General Assembly, to consider with great care and attention the power of the church in relation to the state. He had also carefully studied the arguments of the counsel on both sides of this case, and the result was, that he was decidedly of opinion that the Act of the General Assembly of 1834 was altogether illegal, and not more contrary to the laws of the land than to the laws of the church itself. In judging of this question, the expediency or in expediency of the Act ought not to be allowed to influence their judgement. It had not influenced his; but it was difficult altogether to shut his eyes to it. He was a member and an elder of the church, and for about fifty years had been a member of the General Assembly, and the question could not fail to be to him most interesting. In his opinion the Act of Assembly of 1834 was quite uncalled for in the circumstances of the church, and quite inexpedient. If he wanted any confirmation of this opinion, he found it in the concluding paragraph of a pamphlet of Sir Harry Moncrieff's. (Here he quoted the paragraph). Here was sound sense. Here was the opinion of one of the best, as he was one of the ablest men that ever adorned the church of Scotland. That, he thought, should settle the question of expediency for ever; for if this was Sir Harry Moncrieff's opinion, written twenty or thirty years ago, how much more strongly would it be so now when, for at least a number of years back, the right of patronage, with hardly any exceptions, had been exercised in the most temperate manner. But still the Court must lay expediency out of view, and consider the case as a mere point of law. If, in so doing, he had come to the opinion

1. Watt, "Chalmers and the Disruption", p 157-170

that the act of the Assembly was truly useful and expedient, but that it was not within the power of the church to carry it into a law, he should find so, no doubt, with great reluctance; but with his opinion, that it was inexpedient and uncalled for, he certainly felt no compunctious visitings in coming to the conclusion that it was wholly illegal. Before he entered upon the consideration of the different statutes relating to the church, he would lay it down as a fundamental principle, that in every civilized country there must be some court to exercise a control over every other court, to compel them to do their duty, or keep them within the proper sphere of their duty. Without this, great confusion would follow, and often great injustice to individuals. This, he showed, was accomplished in France by the Court of Causation, and in England by the Court of the King's Bench, which exercises control even over the proceedings of the Houses of Parliament. He mentioned several cases in evidence of this, and, among others, the recent one with reference to the printing of the Parliamentary papers. He next showed that the Court of Session had frequently exercised jurisdiction over presbyteries when they exceeded their powers, or refused to exercise them. His Lordship then proceeded to the consideration of the Acts of Parliament affecting the church from 1567 till 1711 - showing that any thing like the principle of the Veto Law was never countenanced or supported by them in the slightest degree; and that the legislature constantly exercised this right to control the government of the church. He remarked that he thought that many presbyterian ministers were in the habit of carrying the maxim too far, that the church of Scotland had no head but Christ. This, he admitted, was so far true - Christ was the founder of their religion, the object of their worship, of their hope, and of their fear. And it was also true that the king was not the head of the church in the sense in which he was so in England, in virtue of which power he regulated the form of prayer, and many other things which he did not do in the Scotch church. But that there was really no temporal head of that church, was a position which he could really characterise by no other term than absurd. Parliament, he maintained, was the temporal head of the church, and it was to its acts that it owed its existence as a national establishment, and it was from Parliament that the church derived all its powers. If anything more than another could have been within the compass and jurisdiction of the church - if it had possessed anything like the powers it now claims, it would surely have been the power of decreeing its own Confession of Faith; and yet the church never ventured to do so. The church drew up what it considered ought to be the

Confession of Faith, but it was enacted by a higher authority than its own. The church presented the Confession to Parliament, who ratified and established it. Now, after this admission of the church's dependence upon the legislature, for the General Assembly to attempt to pass an Act of the kind in question, without the sanction of Parliament, appeared to him most extraordinary. His lordship then, after alluding to the fact that patronage constituted a valuable patrimonial right in many families, and remarking upon the effect of the Veto Law in rendering that valuable right completely nil, concluded by asking what the Court ought, what could they do, in this case? In the first place, he thought they should discharge the Presbytery of Auchterarder from inducting any other person into that living. In the second place, they should find those conclusions mentioned in the summons, that the presentee was legally, validly, and effectually presented to that church; that the Presbytery was bound to take him upon his trial, and if found qualified, to receive and admit him according to law..¹

It was a year later, when the case had been heard before the House of Lords, and the verdict was pronounced by Lords Brougham and Cottenham. Their verdict was in support of the Court of Session, and stated that the Church was subject to the state in the selection of ministers, and was confined to an examination of their literature, life, and good morals.²

It is unnecessary for us here to follow out the entire trail which began with these legal decisions. One after the other they came, and with them, they brought the conviction to the Evangelical party of the Church of Scotland, that they could not hold to their beliefs as wrought in controversy with the Voluntaries, and acquiesce in these decisions. One by one, they saw their claims shattered, and were sure that it was the state, and not the church, which had transgressed the defined limits of independence.

1. Scotsman, Feb. 28, 1838 (Voluntary Church Magazine, April, 1838

2. Watt, "Thomas Chalmers and the Disruption", p175, 176

The position of the Moderate party was somewhat different. Earlier, we quoted from Dr. Inglis to show that the Moderate party also believed in the spiritual independence of the church. They had been, however, opposed to the Veto Act. At the very start, they had regarded it as illegal. Now, they were in favor of following the decision of the courts, and admitting that the Church had taken the wrong action. It was in following that course, that the division between Evangelical and the Moderate parties widened. The spirit and the position of the Moderate party can be seen in the reasons of dissent to a motion of Dr. Chalmers on the Auchterarder cause in the Assembly of 1838.

In this dissent, there are seven points. The first of these states that since the court had reached a decision and declared the Veto Act to infringe on civil rights, the church should consider the matter beyond the power and jurisdiction of the Assembly. The second is that assumption of civil power by the church will be followed by the same effects on the purity and spirituality of the church, as occurred before the Reformation. The third point claims that the tendency of the Church to resist the decision of the Court, will be taken as an example, and lead the people to resist lawful authority. It will also alienate many members from the Church, and thus lead to its eventual destruction. In the fourth place, resistance to the Act, would leave many ministers without legal and adequate incomes, and thus distract them from their ministerial duties. In the fifth point, it is claimed that opposition will

mean the forsaking of all hope of procuring endowments for the churches which had been erected under the Church Extension scheme. The sixth point is that in claiming the right to determine when and how far it will yield to the courts, the Church may be inducing the legislature to abolish the establishment. The seventh point is that many, disturbed by the Church's opposition to a legal decision and civil power, may be led to leave the Church, and thus to destroy the Establishment.^{1.}

It was during the increasing tension caused by the existence of two points of view in the church of Scotland, and the multiplied decisions of the Court of Session, that the Voluntary Controversy came to a conclusion. Formally, it had no end, but rather diminished as the tempo of the Non-Intrusion controversy increased. However, there was an exchange of pamphlets between Dr. Candlish on the side of the Church of Scotland, and the Evangelical party, and the Dissenters, represented by Dr. Heugh. In these 'friendly addresses,' there was a plea for understanding, and for support in those things on which there was mutual agreement. In the reply, there was a restatement of the Voluntary position, but done in candor and sympathy. "It had been well for the sake of charity," says the biographer of Dr. Heugh, "if the whole controversy on the question of Establishments had been conducted in that spirit of manly candour and Christian forbearance which distinguished these brief publications."^{2.}

1. Revised Speech of George Cook, D.D., p 21, 22

2. MacGill, "Life of Hugh Heugh", p 346

The first of these "Friendly Addresses" reviews the positions of the Voluntaries, and of those who have contended for the Establishment principle. It makes some concessions, and argues for the support of the Voluntaries in the struggle with the State.

The first point which is made, is that both contestants hold in common the view that the government which the Lord Jesus ordained for his church excludes the civil magistrate. This would include the formation of the ministerial relation with the free consent only of all the parties concerned- the congregation, the pastor, and the Presbytery. Both would also hold that the government of Christ's Church should be exclusively in the hands of Church officers, and that the intrusion of ministers on congregations would be both unlawful and sinful.

A point of difference, it is noted, arises with those Voluntaries who hold the principle that the civil magistrate should not concern himself with religion at all, and that the Church of Christ may not lawfully consent to be recognised and supported by the State. When this point is pressed, the Churchman must offer opposition, and the two parties must stand over against each other, by the very assertion of their principles. On the contrary, when Churchmen press their principles-- those which had given rise to their difficulties with the State--it would seem that they were in accord with the principles and beliefs of the Voluntaries. What reason was there then, for them to withhold their sympathy, and to throw the weight of their influence into the scale of their opponents? Were the

principles at stake not those which the Voluntaries held dear?

Some however might urge that the Churchmen should seek deliverance from the evil of which they complain, and adopt the Voluntary principle. They would then renounce all connection with the State. Indeed, their suffering might be but the consequences of their false position, and to be free, they must become a Voluntary Church. To this however, the writer could not assent. He contends that if they are defeated, and the chain is riveted on the Church, it would prove only that they were wrong in supposing that the theory of a scriptural establishment had been actually realized in Scotland. Further, it might possibly show that there was little prospect of the theory being purely exemplified anywhere in the world in practice. For in the Church of Scotland, above all others, the line between the Civil and the Ecclesiastical jurisdiction was most closely drawn. Making allowance for practical aberrations, he contends that the principle which allows and requires a civil recognition of religion is sound and scriptural. Even though Churchmen were obliged to abandon the Established Church of Scotland, and that with the utmost reluctance, they would continue to defend that doctrine. Further, they would continue to hold that the principle of Establishments lay near the ultimate welfare of nations, and the ultimate prosperity of Christ's Church.

The sympathies of the Voluntaries must be on the side of reform and emancipation. If, however, they felt constrained to oppose efforts for freedom, and to perpetuate a bondage which

was contrary to the principles of both, it must be the cause of pain to them.

In general, there is truth in the maxim that every institution supported by the State, must be under the control of the State. Is it not enough, however, that the State should have entire and absolute command over all the material goods of the Established Church; that the Legislature should have the right to deal with the public funds granted to the Church as seems right; and that the decisions of the Court, as regards those funds should be regarded as final? Is not this sufficient security against any danger that may be apprehended, without the exercise of jurisdiction in spiritual matters by the State? Can it be contended that a Church supported by the State, and making acknowledgement that she holds her endowments by the pleasure of the State, is more dangerous than a Church claiming precisely the same independent jurisdiction, and not liable to any sort of control at all?

Surely, he continues, Dissenters acknowledge them to be a Church of Christ. They cannot deliberately refuse to recognize them as a branch of the true church. Can they, then, not treat them as such? Seek, if they must, their separation from the State, but do not seek to impose bonds which they themselves do not have.

Perhaps, though, the answer to that will be that the Church should renounce her endowments, and then she should be free. Why, though, was it necessary to relinquish endowments if they could be kept along with spiritual freedom and independence? Would it

not be better for the Dissenters to join the Establishment, in the full enjoyment of both freedom and endowments?

That the Establishment is striving to increase its stability and efficiency is true. It is not, however, with the intention of interfering with Dissenters. It is because it is right in itself. It is the self-interest of a man who tries^{1.} to do his duty.

The answer to this address was made in "A Friendly Reply to a Friendly Address", and was written by Dr. Hugh Heugh of Glasgow. In that reply, and in the further exchange which followed it, the Voluntary position is re-asserted. Written with sympathy, it none the less expresses plainly the belief that the Church of Scotland could be freed from its legal embarrassments simply by the expedient of rejecting establishment. Answering point by point, it first asserts its belief that the Voluntary principle has been proved. The author next rejects the possibility of open aid by the Dissenters, but calls on those who object to Patronage, and those who insist on the Spiritual Independence of the Church, to follow the example of the Dissenters. He again insists that those who accept state pay must be under state control, and that the trouble in which Churchmen are embroiled is indigenous in the system of establishment. He reminds them, that while they are Christians, and spiritual men, their church also sustains the character of a civil institution, and that this character carries with it the troubles in which they find themselves. He slights the risks that would arise in leaving the Establishment, and

1. Friendly Address to the Dissenters of Scotland

says that the evil of continued patronage alone, should be enough to make them separate from the state. To the invitation for Dissenters to join the Establishment, in the event they are able to keep both endowments and their liberty, he replies that the basis laid by the Fathers is no longer adequate for a re-union. Both have progressed in their ideas, and in their concept of religious liberty. He closes, however, with a call for both to return to the original basis of their belief, the teachings of the apostles. His words here are, "We dare not now return to the views of 1732, any more than you can resume those of 1639, or 1560. The light of Christian liberty has been rising to its primitive brightness; and it were unwise to wish to return to the obscurity of its dawn, even were it practicable. Forgive us for reminding you, as we perpetually need to remind ourselves, that there are Fathers more ancient and venerable than those of the Secession or Reformation, even the holy apostles of our Lord and Saviour. These are the only true and infallible preceptors. At their feet let us learn; from their lips receive the law. In this we are happily united, that, were we both, with child-like simplicity, and with the leading of the Holy Spirit of God, to surrender ourselves to the authority of their doctrine and practice in the matters that now unhappily divide us, we should quickly 'see eye to eye,' the churches should enjoy in common the liberty bequeathed to them by Christ, and 'with the voice together they would sing.' Till then, may we both be kept from the many temptations to which our divisions and disputes too

certainly expose us. May we 'renounce the hidden things of dishonesty, not walking in craftiness, nor handling the word of God deceitfully,' 'but speaking the truth in love, grow up into him in all things, which is the head, even Christ.'¹"

After this exchange, Voluntaries continued to be concerned with dis-establishment. They did not, however, insert themselves actively into the events which were leading to the Disruption. Rather, they sat on the sidelines, and awaited the outcome. Truce had, in effect, been declared. After the Disruption, there was some feeling that the controversy should be revived, but Dr. Heugh and others expressed themselves against holding a public meeting for that purpose, and for the purpose of evaluating the position of the then newly-formed Free Church, with regard to the Voluntaries. They preferred rather that the new church should have time to find itself, and to make its own adjustment to the fact that it was now dis-established, and dependent for its support on the voluntary² principle, or the voluntary benevolence of their supporters.

Thus ended this phase of the struggle for dis-establishment of the Church. The Voluntary contention of the necessary corruption of the Church, when dependent on the State, had produced a hardening of opinions in the minds of Churchmen. Their vehement assertion of spiritual independence, in the face of court decisions to the contrary, played a large part in the Disruption, and the establishment of the Free Church as independent of State control, with Christ truly as its head.

1. MacGill, "Life of Hugh Heugh", note p 350, 351

2. *ibid.*, p 400

Bibliography

1. Alexander, William Lindsay, "Memoirs of the Life and Writings of Ralph Wardlaw, D.D."; Edinburgh; Adam and Charles Black; North Bridge; 1856
2. Barr, James, "The Scottish Church Question"; London; James Clarke & Co; 13,14 Fleet Street; 1920
3. Brown, Thomas, "Church and State in Scotland"; Edinburgh; MacNiven & Wallace; 1892
4. Broderick, G.C. & Fotheringham, J.K., "The Political History of England"; Longmans, Green & Co, 39 Paternoster Row, London; 1906
5. Bryce, James, "Ten Years of the Church of Scotland"; William Blackwood and Sons; Edinburgh and London; 1850
6. Hanna, William, "Memoirs of the Life and Writings of Thomas Chalmers, D.D., LL.D"; published for Thomas Constable by Sutherland and Knox, Edinburgh; Hamilton Adams and Co., London; 1851
Reprinted in 1951
7. Henderson, G.D., "The Claims of the Church of Scotland; Hodder and Stoughton, Ltd, St Paul's House, Warwick Sq. London, 1951
8. Innes, A. Taylor, "The Law of Creeds in Scotland", William Blackwood and Sons; Edinburgh and London, 1902
9. Landreth, P., "Life and Ministry of the Rev. Adam Thomson, D.D."; Edinburgh, Andrew Elliot, Princes Street, 1869
10. M'Crie, Thomas, "Life of Thomas M'Crie, D.D."; Edinburgh; John Johnstone, Hunter Square; 1840
11. MacGill, Hamilton M., "Life of Hugh Heugh, D.D." Edinburgh; Johnstone and Hunter; 1852

12. M'Kerrow, John, "History of the Secession Church"; Glasgow; A. Fullarton and Co., 110 Brunswick Street; 1841
13. Niebuhr, H. Richard, "Christ and Culture", New York; Harper & Brothers; 1951
14. Struthers, Gavin, "The History of the Rise, Progress and Principles of the Relief Church"; Glasgow; A. Fullarton and Co., 110, Brunswick Street; 1843
15. Taylor, J.W., "Memoir of the Late David Maitland Makgill Crichton"; Edinburgh; Thomas Constable and Co; 1853
16. Troeltsch, Ernst, "The Social Teaching of the Christian Churches", translated into English by Olive Wyon; London George Allen & Unwin Ltd; 3rd impression 1950;
17. Watt, Hugh, "Thomas Chalmers and the Disruption"; Thomas Nelson and Sons Ltd; Edinburgh; 1943
18. Woodside, David, "The Soul of a Scottish Church,"; United Free Church of Scotland; 121 George Street, Edinburgh;

Pamphlets

19. Anderson, William, "The Opening of the Case"; Glasgow; 1835
20. Anderson, William, "The Lame Restored"; Glasgow; 1835
21. Auld, William, "Power of the Civil Magistrate in matters of Religion"; Greenock; 1838
22. Beverly, R.M., "Letter to His Grace the Archbishop of York on the present corrupt state of the Church of England"; Beverly, 1831
23. Binney, T. "Dissent not Schism -- A discourse in the Poultry Chapel, Dec. 11, 1834"; London, 1835
24. Brown, John, "The Law of Christ Respecting Civil Obedience especially in payment of Tribute"; Edinburgh, 1838

25. Brown, John, "Voluntary Support of Christianity a Divine Ordinance"; Glasgow; 1835
26. Bruce, C.I.Cumming, "Some examination of the Claims of Religion to the Support of the State."; Elgin; 1833
27. Buchan, Peter, "Remarks on E.Ritchie's Appendix"; Edinburgh; 1836
28. Buchan, Peter, "Remarks on Ritchie's Defence of Establishments"; Edinburgh; 1835
29. Buchan, George, "Historical Sketch of the Ecclesiastical Establishment in Scotland -- delivered in the Auchterarder Case;" Edinburgh; 1835
30. Buchanan, James, "Christ's Kingdom in its Relation to Civil Powers"; Edinburgh, 1835
31. Burns, Robert, "The Church Question"; Paisley; 1841
32. Binney, T. "Lecture on Church Extension"; London, 1840
33. Campbell, P. "General Remarks on Church Controversy"; Glasgow; 1835
34. Chalmers, Thomas, "An Argument on Chapel Bonds"; Edinburgh 1836
35. Chalmers, Thomas, "The Cause of Church Extension"; Edinburgh; 1835
36. Chalmers, Thomas, "Evils of the Edinburgh System of Seat-letting"; Edinburgh; 1835
37. Chalmers, Thomas, "Lectures on the Establishment and Extension of National Churches"; Glasgow; 1838
38. Chalmers, Thomas, "The Right Ecclesiastical Economy of a Large Town"; Edinburgh; 1835

39. Chalmers, Thomas, "Speech on the Decision in the Case of Auchterarder"; Glasgow; 1839
40. Clason, Patrick, "Strictures on the Statement of the Central Board of Scottish Dissenters in a letter to Bailie M'Laren"; Edinburgh, 1835
41. Clason, Patrick, "Speech in Presbytery of Edinburgh on a motion regarding suitable provision for ministers of the gospel in the new and extended burghs of Scotland":
Edinburgh; 1835
42. Collins, William, "Statistics on Church Accommodations in Glasgow"; Glasgow; 1836
43. Cox, F.A., "State Establishments of Christianity Injurious to Religion"; Liverpool; 1839
44. Cunningham, W., "Replies to queries regarding the city Churches proposed by the committee of the Town Council to the Presbytery of Edinburgh"; Edinburgh; 1834
45. Davidson, P., "Connection with the State changes the external aspect, nature, etc of the Church"; Edinburgh; 1837
46. Davidson, Peter, "Review of the Account of the Meeting in Abroath in Defence of Establishments"; Arbroath; 1834
47. Davidson, Peter, "Voluntary Support of the Gospel Vindicated"; Edinburgh; 1833
48. Dick, A.C., "Speech to the Voluntary Church Association";
Edinburgh; 1832
49. Duncan, James, "The True Church not a State Church",
Alnwich^K; 1838
50. Edmonstone, Sir Archibald, "Six Letters to Conservative Electors of Stirling"; Glasgow, 1838

51. Ferrier, Andrew, "Sermon on Civil Establishments of Religion"; Glasgow; 1836
52. Ferrier, Andrew, "Nebuchadnezzar's Golden Image"; Glasgow; 1836
53. Fleming, Alexander, "A Critique of Dr. Ralph Wardlaw's sermon, 'Civil Establishments of Christianity'; Edinburgh; 1833
54. Fleming, Alexander, "Historical Lecture on Teinds or Tithes - showing them to be funds set apart for clergy"; Glasgow; 1835
55. Fraser, Donald, "Answers to Queries on Patronage"; Edinburgh; 1836
56. Gibson, James, "The Principle of Voluntary Churches and not the Principle of an Establishment proved to be the real origin of Romish and priestly domination"; Glasgow; 1833
57. Gibson, James, "Remarks on speech by A.C. Dick, Advocate, with expenditure of Glasgow city churches and comments on speeches at the Glasgow Voluntary Church Association, and Dr. Wardlaw's 'On Civil Establishments'; Glasgow; 1833
58. Grant, Duncan, "Modern Voluntary Churches incapable of defence on account of their practical inefficiency"; Elgin; 1833
59. Gray, Andrew, "The Church of Scotland vindicated from the Cavils of Dissenters"; Edinburgh; 1833
60. Haldane, J.A., "Voluntary Question Political not Religious"; Edinburgh; 1839
61. Harvey, Alexander, "Compulsory Payments proved to be contrary to the Old Testament and New Testament"; Glasgow; 1834
62. Harvey, A., "Object and Principles of Voluntaries Vindicated"; Glasgow; 1836

63. Harvey, Alexander, "The Voluntary Principle and National Responsibility and the Religious Instruction of the Poor"; Glasgow; 1835
64. Heugh, Hugh, "Christian Liberty as opposed to its restrictions - by veto act, patronage, state support"; Glasgow; 1840
65. Heugh, Hugh, "Civil Establishments - Unjust - Injurious"; Glasgow; 1835
66. Hogg, Robert, "The Enactment of Christianity to be the Law of the Land"; Edinburgh; 1837
67. Horsman, Edward, "Church Extension - speech in House of Commons, May 5, 1837"; Edinburgh; 1837
68. Jamieson, David T., "Jewish and Christian Dispensations of Religion Considered"; Glasgow; 1838
69. Jamieson, John, "The Testimony of Scripture against Civil Establishments"; Perth; 1835
70. Johnston, Robert, "An exposition of the present state of the established Church in Edinburgh, with suggestions for increasing its efficiency"; Edinburgh; 1835
71. Kidd, James, "The rights and liberties of the church asserted and vindicated against the pretended right and usurpation of Patronage"; Aberdeen; 1834
72. King, David, "The voluntary system explained and defended" Belfast; 1837
73. King, David, "Two lectures on Church Extension - in reply to Dr. Chalmers"; Glasgow; 1838
74. King, David, "On Additional Endowments for the Church of Scotland"; Greenock; 1835

75. King, David, "The Auchterarder Case and the Independence of the Church"; Glasgow; 1838
76. Langley, D.B., "A Christian's Duty in the Present Crisis"; London; 1835
77. Law, J., "Reply to Strictures of Dr. Chalmers vs. the Dunfermline Voluntaries"; Dunfermline; 1835
78. Leckie, Charles, "An exposure of Dr. John Ritchie's notice of author in his pamphlet to Dr. Cook"; Glasgow; 1837
79. Lewis, James, "Crisis and Preparation - with directions to Collectors";
80. Lorimer, John J., "A review of the speeches delivered Nov. 12, 1832 by..Voluntary Church Association"; Glasgow; 1833
81. Lorimer, John J., "A second review of the speeches by...the Voluntary Church Association"; Glasgow; 1833
82. Lorimer John, "Past and present condition of religion and morality in the U.S.A.-- an argument not for voluntary but for established churches."; Glasgow; 1833
83. Lowrie, William, "The Whole question of Ecclesiastical Establishments"; Edinburgh; 1833
84. Marshall, Andrew, "Ecclesiastical Establishments Considered"; Glasgow; 1829
85. Marshall, Andrew, "Ecclesiastical Establishments Farther Considered"; Glasgow; 1831
86. Marshall, Andrew, "A letter to the Rev. Andrew Thomson, D.D."; Glasgow; 1830
87. Marshall, Andrew, "Ecclesiastical Establishments Not Lawful"; Glasgow; 1837

88. Marshall, Andrew, "Calumny Refuted- Some Animadversions on the pamphlet of Anglo-Scotus"; Glasgow
89. Massie, J.W., "The Christian in Civil Society"; Edinburgh; 1836
90. M'Cartney, John, "Primitive Christianity displayed as the only antidote against national establishment and ecclesiastical imposition.";
91. M'Crie, Thomas, "Sentiments of the late Dr. M'Crie on Civil Establishments of Religion"(posthumous selections) Edinburgh; 1838
92. M'Crie, Thomas, "Statement of Difference....Especially on the Power of the Civil Magistrate"; Glasgow; 1832
93. M'Crie, Thomas, "What ought the General Assembly to do at the present crisis?"; Edinburgh; 1833
94. MacFarlan, Patrick, "Letter to the People of Scotland, in answer to the statement by the Central Board for vindicating the rights of Dissenters."; Edinburgh; 1835
95. MacFarlane, John, "Dissenting Neutrality - a letter to Dr. Young"; Edinburgh 1840
96. MacGill, Stevenson, "A Sermon in behalf of the Church Accommodation Society"; Glasgow; 1834
97. MacGill, Hamilton, "The Christian Warfare not Carnal"; Glasgow; 1838
98. M'Kerrow, William, "Letters on Church Establishments - in reply to the Rev. Hugh Stowell"; Manchester; 1836
99. M'Laren, Duncan, "History of Resistance to the Annuity-tax"; Edinburgh; 1836
100. M'Laren, Duncan, "Speech regarding Bishops' Teinds"; Edinburgh; 1838

101. M'Laren, Duncan, "Letter to the Town Council"; Edinburgh; 1837
102. M'Laren, Duncan, "Claims to New Endowments Examined";
Edinburgh; 1837
103. M'Laren, Duncan, "Facts regarding the Seat-rents for the
City Churches of Edinburgh"; Edinburgh; 1840
104. M'Laren, Duncan, "Speech at Meeting to devise ways of pro-
tecting the civil rights of Dissenters"; Edinburgh; 1841
105. M'Neile, Hugh, "Scripture Principles and Leading Objects of
A National Church"; London; 1837
106. MacRay, William, "The causes, influence, and prospects of
the Secession in connection with the prospects of the
Church of Scotland"; Glasgow; 1833
107. Mackray, William, "A defence of Civil Establishments of
Religion"; Aberdeen; 1833
108. Moncreiff, Sir Henry, "Outline of the ecclesiastical con-
stitution of Scotland";
109. Moody, Robert, "State of Church Accommodation in Glasgow,
from 1780 to 1836"; Glasgow; 1836
110. Morison, Robert, "Establishments weighed and found wanting-
The Voluntary Principle agreeable to Scripture"; Edinburgh;
1837
111. Nicol, Andrew, "National Churches Allied to Despotism";
Edinburgh; 1834
112. Nicol, William, "Letter to the Rev. John Purvis"; Jedburgh;
1835
113. Nisbet, William, "Scripture examined concerning Establish-
ments"; Edinburgh; 1835

114. Noel, Baptist, W., "The Unity of the Church"; London; 1837
115. Paterson, David, "Discourse on Voluntary and Compulsory Churches"; Alnwich; 1837
116. Paterson, R., "The Divinely appointed Mode of Supporting the Ministry." ; Edinburgh; 1835
117. Paterson, R., "Advancement of the Church in Excellence"; Edinburgh, 1839
118. Pearson, Anthony, "The Great Case of Tithes"; London; 1835
119. Peel, Sir Robert, "Irish Church Bill"; Edinburgh; 1835
120. Phipps, J.; "Brief Remarks of Ecclesiastical Impositions etc"; London; 1835
121. Pringle, James, "Reply to Anglo-Scotus"; Newcastle; 1835
122. Ritchie, John, "A Reply to Dr. Cook"; Edinburgh; 1836
123. Ritchie, John, "Liberty of Conscience"; Edinburgh 1838
124. Robertson, David, "The Scriptural Method of Supporting the Gospel"; Glasgow; 1834
125. Robertson, James, "Past Conduct and Present Duty of Dissenters to Non-Intrusion Brethren"; Edinburgh; 1843
126. Russell, David, "Speech at Anti-Church-Endowment Meeting"; Dundee; 1838
127. Russell, Thomas, "The Annuity Tax"; Edinburgh; 1836
128. Russell, Thomas, "Scottish Tories and Irish Tithes"; Edinburgh; 1836
129. Rutherford, Alex C., "Remarks on a lecture by Mr. Collins"; Falkirk; 1837
130. Seard, John, "What, and Who says it?-- an exposition of the statement that the established church 'destroys more souls than it saves'"; Worcester

131. Smith, James, "The Present Position of the Voluntary Church Controversy"; Glasgow; 1838
132. Spence, James, "Voluntary and Compulsory Systems Examined"; Aberdeen; 1834
133. Thomson, Adam, "A Cure for Pauperism; " Edinburgh; 1829
134. Thomson, Adam, "The Church and the Voluntaries"; Edinburgh; 1835
135. Thomson, Adam, "Patronage - or Weapons of Churchmen turned against themselves"; Edinburgh; 1837
136. Taylor, William, "The Inconsistency of Seceders becoming Voluntary Church Association Men"; Perth; 1833
137. Wardlaw, Ralph; "Civil Establishments of Christianity"; Glasgow; 1833
138. Wardlaw, Ralph, "Speech for the Separation of Church and State"; Glasgow; 1834
139. Wardlaw, Ralph, "The Scripture Argument"; Glasgow; 1835
140. Wardlaw, Ralph, "Letters to the Rev. Hugh M'Neile..."; London;
141. Wardlaw, Ralph, "National Church Establishments Examined"; London; 1839
142. Wellwood, Sir Henry Moncreiff, "A brief account of the Constitution of the Established church of Scotland, and the questions concerning patronage and the secession"; Edinburgh; 1833
143. Wilson, Robert, "Church Establishments"; Greenock; 1835
144. Wood, John, "Observations on National Provisions for the Maintenance of Religion"; Edinburgh; 1834

145. Young, D., "Reply to J. Esdaile's examination of his pamphlet on Ecclesiastical Establishments"; Glasgow; 1833
146. Young, David, "A vindication of Scripture, reason, and common sense, in reply to the Rev. James Esdaile's second pamphlet on establishments"; Glasgow; 1834
147. Young, David, "National Endowment opposed to the appointment of Jesus Christ"; Edinburgh; 1835
148. Young, David, "Vindication of Reason and Common Sense"; Glasgow; 1834
149. Young, David, "Civil Establishments Disowned by Jesus Christ"; Edinburgh; 1837
150. Young, David, "Why Churchmen should Seek Separation from the State"; Glasgow; 1839
151. Anglo-Scotus, "A new exposure of the reverend leaders of the Voluntary Church Associations, etc"; Newcastle-upon-Tyne; 1833
152. Anglo-Scotus Again; Newcastle-upon-Tyne; 1834
153. "A Voice from Patmos"; Edinburgh; 1837
154. Clergyman of the Church, "apology for the office-bearers and friends of the Church of Scotland, and a persuasive to union among Protestants"; London; 1838
155. A Friend of Zion, "The Claims of Churchmen on the Government of the Country"; Glasgow; 1838
156. A Friend of the Kirk, "The Lame Restored"; Glasgow; 1832
157. A Layman; "Thoughts on Ecclesiastical Establishments - particularly the established church of Scotland"; Edinburgh; 1832

158. A Layman, "Letter to the Author of 'The Voluntary Church Association and its Manifestations against Establishments Considered'"; Edinburgh; 1833
159. A Voluntary, "Compulsoryism and Endowments Exposed."; Glasgow; 1836
160. A Member of the Church of Scotland, "Catechism on the Voluntary Church Association"; Edinburgh; 1833
161. Minister of the Reformed Presbyterian Church, "The Revolution Settlement, considered in reference to the independence and present position of the Church of Scotland";
162. Scotus, "An Exposure of the Sentiments and Projects of the Voluntary Church Association"; Edinburgh; 1833
163. Scotus, "A second exposure of the sentiments and projects of the Voluntary Church Association"; Edinburgh; 1833
164. Tekel, "A Correct View of 'My Kingdom is not of this World'"; Glasgow; 1835
165. U.U., "The Arithmetic and Arguments of Compulsories Examined;" Glasgow; 1836
166. A Voluntary, "Compulsoryism and Endowments Exposed - in a letter to William Collins"; Glasgow; 1836
167. "The Voluntary Church Association and its manifesto against establishments considered"; Edinburgh;
168. "Exposure of False principles in the statement of the Scottish Central Board of Dissenters"; Edinburgh; 1835
169. "The case of the General Assembly of the Church of Scotland shortly considered in an outline of its present application to government for additional endowment"; Edinburgh; 1835

170. "Review of the Rev. Andrew Marshall's sermon 'Ecclesiastical Establishments Considered'; Glasgow; 1829
171. "The Rights and Duties of the Civil Magistrate in Matters of Religion"; Edinburgh;
172. "Evils of the Established Church Considered and a Remedy Proposed"; Edinburgh; 1833
173. "The evils of the established Church of Scotland considered, and a remedy suggested"; Edinburgh; 1833
174. Discussion at Kirkintilloch (Ritchie-Stark), "Origin and Progress of Voluntaryism in the Secession";
175. Public Discussion on Church Extension and Endowment (Harvey-Mackgill) Edinburgh; 1838
176. Discussion on Voluntaryism at Barrhead (Ritchie-Leckie); Glasgow; 1839
177. Debate on the Church Question at Strathaven (Burness-Campbell); Glasgow; 1839
178. Discussion on Church Establishments at Falkirk (Leckie-Morrison); Glasgow; 1838
179. Debate on the Church Question (Duncan-Leckie); Glasgow
180. Discussion on Voluntaryism at Dundee (Nicol and Leckie);
181. Discussion on Church Establishments (Nicol-Leckie); Edinburgh; 1838
182. Correspondence between MacKenzie-Robson; Edinburgh; 1835
183. Voluntaries in Belfast - Discussion on Civil Establishments of Religion; Belfast; 1836
184. Voluntary Church Association - Lectures on Church Establishments; Edinburgh; 1835

185. Voluntary Church Society; - Lectures on Church Establishments; Glasgow; 1834
186. Society for Promoting the Interests of the Church of Scotland - Lectures on the Church Establishment Controversy; Glasgow; 1835
187. Speeches delivered at a meeting in Glasgow to consider the General Assembly's Church Accommodation Scheme;
188. Speeches delivered at a Meeting of the Friends of the Established Church; Edinburgh; 1835
189. Speeches delivered at the meeting of the Edinburgh Voluntary Church Association; Edinburgh; 1838
190. Speeches delivered at Greenock (Moscrip, Anderson, Stark); Greenock; 1837
191. Speeches delivered at the formation of the Greenock Voluntary Church Association; Greenock; 1835
192. Speeches delivered at a public meeting in Glasgow at the formation of "The Glasgow Society for Promoting the Interests of the Church of Scotland"; Glasgow; 1833
193. Speeches delivered at the Paisley Voluntary Church Association; Paisley; 1833
194. Speeches at the Voluntary Church Association meeting, Broughton Place, January 1833; Edinburgh; 1833
195. "Examination of the Equity and Expediency of Ecclesiastical Establishments"; Edinburgh 1832
196. Speeches at the formation of the Glasgow Voluntary Church Society; Glasgow; 1832

197. Lectures on the Church Establishment Controversy, and subjects connected with it; sponsored by the Glasgow Society for Promoting the Interests of the Church of Scotland; Glasgow; 1835
198. Proceedings and Speeches at the Meeting of the Edinburgh Voluntary Church Association; December, 1834; Edinburgh; 1835
199. Speeches at the Church Extension Meeting, Dumfries; Dumfries; 1837
200. Speeches at a meeting in Dr. Heugh's Church, Glasgow, against 'Church Rates'; Glasgow; 1837
201. Dr. Heugh and the Scottish Guardian; extracts; Glasgow; 1839
202. Report of the meeting of the Edinburgh Young Men's Church Association, November 1835; Edinburgh; 1835
203. First Report of the Scottish Central Board for extending the Voluntary Principle, and vindicating the Rights of Dissenters; Edinburgh; 1835
204. Fourth Report of the Scottish Central Board for extending the Voluntary Principle, etc; Edinburgh; 1838
205. Third Report of the Glasgow Voluntary Church Association; Glasgow; 1836
206. Abstract of the First Report of the Religious Instruction Commission; Edinburgh; 1837
207. Extract from the House of Commons Proceedings on the Report of the Commission to inquire into the opportunities of Worship; Edinburgh; 1835

208. Proceedings at the Meeting of the Friends of the Church of Scotland at Greenock, October, 1834; Greenock; 1834
209. Report of the Discussion on the Act Anent Calls, 1832
210. Report of the Discussion on the Act Anent Calls, 1833
211. A Friendly Address to the Dissenters of Scotland; 1839
212. "Scotsman" newspaper, January 1832- December 1839
213. Edinburgh Voluntary Churchman; August, 1835- July 1836
214. Voluntary Church Magazine; Issues of March, 1833- Jan, 1834; October, 1834; Jan. 1838-December 1839; Glasgow
215. Member of the United Secession Church, "Canaan or The Land of Promise"; London; 1843
216. Documents relating to the Negotiation for Union between the General Assembly and the Associate Synod, 1834-1837
217. The Church Review and Scottish Ecclesiastical Magazine; Edinburgh; 1836, 1837
218. The Church of Scotland Magazine; Glasgow; W.R.M'Phun, 86 Trongate; Volumes 1-5 (March, 1834- December, 1838
219. Inglis, J. "Vindication of Ecclesiastical Establishments;"